

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CRM-M-2038-2022

Date of decision: 07.02.2022

Raj Singh @ Raju @ Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Harmanjit Singh Thiara, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

This is the second petition filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.219 dated 06.11.2020, registered for offence 61(1) of Punjab Excise Act, 1914, at Police Station Bilga, District Jalandhar (Annexure P-1).

FIR (Annexure P-1) came to be registered on the basis of a secret information, wherein the names of petitioner and the co-accused were mentioned and recovery of 10,000 kg of lahan along with drums, plastic pipes etc. was made.

Counsel for the parties have been heard.

The petitioner has a chequered past. He is involved in three other cases, which have been registered against him for offence under the Punjab Excise Act, 1914. His first petition seeking grant of anticipatory bail was withdrawn, after arguing, on 06.09.2021, vide Annexure P-3, as the petitioner had suppressed his antecedents from this Court.

Instant petition has been filed within a few months of the dismissal of first petition. There is no change in the circumstances or situation. Hon'ble Supreme Court in *G.R.Ananda Babu Vs. The State of Tamil Nadu and others LL 2021 SC 48 SLP (cr) 213/2021* has held such a second petition for anticipatory bail is not maintainable. Furthermore, the recovery effected is exceptional heavy. No case is made out for grant of anticipatory bail.

Petition is dismissed.

It is clarified that nothing said herein above shall be construed to be an expression on merits.

(SUVIR SEHGAL)
JUDGE

07.02.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes