

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-1758-2022

Date of decision:09.05.2022

JASPREET SINGH @ SAHIL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sahil Vashisht, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.269 of 11.12.2021, registered at Police Station Division No.3, Ludhiana, District Ludhiana, wherein offences constituted, under Sections 61, 78(2), 1, 14 of Excise Act, and, under Sections 420, 467, 468, 471 of IPC, are embodied.

2. This Court, through an order made, on 17.01.2022 had granted ad-interim bail to the present bail petitioner.

3. The incriminatory role, as became assigned to the present bail petitioner is, that on 11.12.2021, in his car bearing Registration No.CH-01-AJ-5836, his carrying 26 boxes of country made liquor. Moreover, it is alleged in the FIR (supra), that thereons a fake number plate became affixed.

4. It has been submitted by the learned learned State counsel, that the petitioner has rendered all the requisite co-operations concerned, to the investigating officer concerned, nor there can there be any instance rather, upon

the present bail petitioner, to ensure the makings of recoveries, of the afore country made liquor bottles, to the investigating officer concerned, as it is stated at the bar, by the learned State counsel, that the afore country made liquor bottles were kept within the above vehicle, and, that both the vehicle (supra), and, also the liquor bottles carried therein, became seized, at the crime site, by the investigating officer concerned. He also submits that all the investigations into the FIR (supra), are complete, and, that very shortly a report under Section 173 Cr.P.C., would become instituted against the present bail petitioner, before the learned trial Magistrate concerned. In view of the above, this Court becomes constrained to admit to anticipatory bail, the present bail petitioner, but the learned State counsel submits, that there are about 9 other FIRs against the present bail petitioner with respect to offences similar to the one, as carried in the instant FIR. Therefore, he contends that in the event of the present bail petitioner becoming admitted to anticipatory bail, there is every likelihood of his abusing the facility of bail inasmuch as his recommitting the offences (supra).

5. Be that as it may, the imposition of stringent conditions, is rather deemed fit and appropriate, for being imposed upon the petitioner-bail applicant, necessarily as a measure to allay, the apprehension (supra), reared by the learned State counsel.

6. In summa the order as made, by this Court, on 17.01.2022, is made absolute on the same terms and conditions. In addition, he shall not tamper with prosecution evidence nor shall influence the prosecution witnesses. Further, subject to petitioner-bail applicant making an undertaking before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, that in case, he re-indulges in criminal activities, whereupon, on breach thereof, the order made today, shall remain be *ipso facto* annulled, and, that, upon, his being forthwith

arrested by the investigating officer concerned, the latter shall produce the petitioner-bail applicant before the trial Court concerned, for the latter making an order for his being put to judicial custody.

7. Disposed of.

09.05.2022

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Whether speaking/reasoned:- Yes/No
Whether reportable: Yes/No

(SURESHWAR THAKUR)
JUDGE