

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

**CRM-M-1837 of 2022
Date of decision: 18.01.2022**

Manpreet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. M. S. Bajwa, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 21 dated 30.3.2021, under Section 61 of the Punjab Excise Act, 1914 (for short, the Act'), registered at Police Station Bhindi Saidan, District Amritsar Rural.

The police acting upon a secret information, on 30.3.2021 raided the house belonging to Manpreet Singh (petitioner). The information was that he was selling and distilling illicit liquor. The petitioner was able to flee from the spot, however, 800 kgs. of lahan was recovered from four drums.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner was also involved in FIR No. 35 dated 19.5.2021 and in the said case, his arrest was stayed by this Court. He further argues that the story set up is improbable as the house of the petitioner is in open fields and the police acting upon the secret information could have apprehended the petitioner from the spot.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. He submits that there is

recovery of 800 kgs. of lahan and the petitioner is involved in another case under the Act.

It is not the first case where Punjab police acting upon a secret information conducts a raid and the accused is able to flee from the spot. There is recovery of 800 kgs of lahan. Reliance of learned counsel for the petitioner that the petitioner was granted stay of arrest in another FIR does not enhance the case of the petitioner for grant of anticipatory bail. The present FIR is of March, 2021, the petitioner could not be apprehended, in the meantime, he was involved in FIR registered in May, 2021. It is not disputed by learned counsel for the petitioner that the house from which the recovery was made belongs to the petitioner.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

18th January, 2022

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |