

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

CRM-M-41849-2021 (O&M)

Date of decision: 17.10.2022

Ramesh Chandra Shivhare

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Anil Gupta, Advocate for
Mr. Naresh Jain, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a direction to respondent No. 2 to hand over the investigation in case bearing FIR No. 145 dated 21.09.2020, registered under Sections 420, 465, 467, 468, 471 IPC and later on added Section 201 IPC, at Police Station Sadar Hoshiarpur, District Hoshiarpur, to Bureau of Investigation Punjab, or to any other independent agency except the State agency.

On 20.07.2022, learned counsel for the petitioner submitted that respondent No.5-Jagmeet Singh Bhatia, was arrested with the alleged liquor and during investigation, he stated that the fake permits were sent to him through email by the son of the petitioner and thereafter, the investigating agency exonerated respondent No. 5; that the permits have been issued in favour of respondent No. 5 by the concerned department, the petitioner has

nothing to do with the same; that respondent No. 5 is only beneficiary in the evasion of the Excise Duty and that the petitioner is an old aged and diabetic person, and has been advised for by-pass surgery.

Learned State counsel submits that the FIR was registered on the complaint of Excise Inspector-cum-Officer Incharge of Bottling Plant, M/s Lloyd Bottling and Blending Chauni Kalan, Hoshiarpur, wherein during investigation, it was found that the aforesaid permits were sent by the petitioner and his son-Rishi Shivhare from mobile and they have been nominated as accused.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Since the petitioner and his son, both have been nominated as accused, no further order is called for in the present petition.

Dismissed.

17.10.2022
Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No