

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

CRM-M-42007-2022

Date of Decision:-14.09.2022

Inderpal.

.....**Petitioner.**

Versus

State of Punjab.

.....**Respondent.**

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Naresh Jain, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under section 438 Cr.PC is for the grant of anticipatory bail in case FIR No.208 dated 28.08.2022 under Sections 61/1/14 of Punjab Excise Act registered at Police Station Lambi, District Sri Muktsar Sahib.

2. The brief facts of the case are that while the police party was on patrolling duty, they saw a car coming which was signalled to stop. Instead of stopping the vehicle, the driver of the car started taking a U-Turn all of a sudden at a high speed but could not control the car. The car struck the divider and the driver of the car fled away from the spot leaving behind his car. On the search of the car 48 boxes of liquor were recovered. The number of the car was PB15X-0694 make Swift Dzire. The said liquor was for sale in Haryana only. Based on the aforementioned allegations, the present FIR came to be registered.

3. The counsel for the petitioner contends that the recovery already stands effected and, therefore, the custodial interrogation of the p;petitioner is not required. He contends that the petitioner is a first time

offender and his false implication cannot be ruled out. He therefore prays for grant of anticipatory bail.

4. The Counsel for the State on the other hand contends that the allegations against the petitioner are serious as the recovery of 48 boxes of Haryana made liquor was effected from the vehicle which was owned by the petitioner. In fact he had run away from the spot taking advantage of the darkness. His custodial interrogation was needed in order to facilitate the investigation for determining the origin of the contraband.

5. I have heard learned Counsel for both the parties.

6. Admittedly, the recovery was effected from a vehicle owned by the petitioner. Taking advantage of the cover of darkness the petitioner was able to escape from the spot. The question of the contraband being planted in the vehicle of the petitioner is improbable. Therefore, in view of the serious nature of the allegations as also the fact that the investigation has to be taken to the logical conclusion by determining the source and origin of the contraband, the petitioner cannot be granted the concession of anticipatory bail.

7. In view of the above, finding no merit in the petition, the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

September 14, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>