

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

CRM-M-47088-2022 (O&M)
Date of decision: 14.10.2022

Krishan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. J.K. Singla, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the present petition, the petitioner seeks anticipatory bail in case bearing FIR No. 67 dated 10.07.2022 registered under Section 61 of the Excise Act, 1914, at Police Station Joga, District Mansa.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case at the instance of Sarpanch due to party fiction in the village; that though the raid was conducted on a secret information yet the petitioner was not arrested from the spot; that no private witness was joined at the time of raid and alleged recovery and that the story of the prosecution that the petitioner fled away from the spot is not believable, as in the presence of number of police officials no one can easily run away from the spot.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice and on the instructions from ASI Gurmail Singh, submits that the raid was conducted on a secret information and at the time of raid and recovery the Chowkidar of the petitioner was with the raiding party and the recovery

memo was also signed by the Chowkidar. The petitioner is a habitual offender and is involved in other case also out of which he has been convicted in some of the cases.

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

Since the raiding party was accompanied by the Chowkidar and the recovery of 30 liters of illicit liquor and 40 liters of lahan, was effected from the house of the petitioner and the recovery memo was also signed by the Chowkidar. The petitioner in also involved in other cases and in some of the cases, he stands convicted, thus, this Court is of the opinion that if the bail is granted to the petitioner, he may involve himself in other cases.

The petition is dismissed.

14.10.2022
Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

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