

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

CRM-M No. 51788 of 2022

Date of decision : November 17, 2022

Nirmal Singh alias Nim

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :-Mr. Madan Sandhu, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

The petitioner apprehends arrest in FIR No.101 dated 25.09.2022 for the offences punishable under Section 61 of the Excise Act, 1914 registered at Police Station Bilga, District Jalandhar. has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

As per allegations levelled in the FIR it has been claimed that on a secret information, vehicle was intercepted. The petitioner tried to run away. However, while reversing back the vehicle the back tyre of the vehicle stuck in the mud and the petitioner was left with no choice but to flee away leaving the vehicle on the spot and from the vehicle the recovery of 4 drums of illicit liquor, which was measured in that 2 big tubs, one bucket and one keep, the said drums were numbered as 1,2,3,4 and then out of the number one drum illicit liquor weighted 180 ML and out of other material 249 bottles of 750/750 ML and other one 570 ML was weighted, other second drum illicit liquor weighted 180 ML

and out of other material 249 bottles of 750/750 ML and other one 570 ML was weighted, the third drum of illicit liquor weighted 180 ML and out of other material 249 bottles of 750/750 ML and other one 570 ML was weighted, the fourth drum of illicit liquor weighted 180 ML and out of other material 249 bottles of 750/750 ML and other one 570 ML was weighted, and the same was made seal and it was 187,320ML, 187/320 ML. Form no. 29 -M was filed at spot and the said Mahindra Balero Max bearing registration No. PB-06-V-1075 was taken into police possession and made seal as HS, and then the total 750,000 ML of illicit liquor under Sections 61-1-14 of Excise Act was made.

Learned counsel for the petitioner does not deny that the vehicle is owned by the petitioner. In view of the huge quantity recovered and the allegations levelled against the petitioner, this Court finds that it is not a fit case wherein concession of pre-arrest bail can be granted.

Consequently, the present petition is dismissed.

At this stage, learned counsel for the petitioner submits that the petitioner shall surrender before the trial court. On his doing so, the trial court shall decide the bail application, if any, filed by the petitioner within a period of seven days in accordance with law.

(PANKAJ JAIN)
JUDGE

November 17, 2022

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No