

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5191-2023
DECIDED ON: 02.02.2023

ANAND BANSAL @ RAHUL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.12, dated 09.01.2023 (Annexure P-1), under Section 61/1/14 of the Excise Act, 1914, registered at Police Station Division No.7, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner contends that no recovery has been effected from the possession of the petitioner but from the possession of the co-accused Manpreet @ Mani, who was arrested on the spot. He also contends that the co-accused Manpreet @ Mani has been released on bail, though, there is nothing on record to show as to on which date, he was released on bail.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State, who submits on instructions from

ASI Subhdeep Singh that the present petitioner-Anand Bansal @ Rahul along

with co-accused Manpreet @ Mani was indulged in the sale of illicit liquor after purchasing the same at low rate from Chandigarh and selling it in other States at a much higher price. He has further argued that the custodial interrogation of the petitioner is required particularly in the light of the fact that huge quantity of whisky was recovered from the co-accused Manpreet @ Mani, but the petitioner ran away from the spot and, therefore, could not be apprehended. He also clarifies the fact that there is no such instruction or communication so far with regard to the bail of the co-accused Manpreet @ Mani, as orally stated by the learned counsel for the petitioner.

Looking into the totality of facts and gravity of offence that the petitioner was actually involved along with his co-accused Manpreet @ Mani in smuggling illicit liquor by illegal means to earn wrongful profit and the fact that the custodial interrogation of the petitioner is likely to lead to some more recovery and the other persons as well, who are suspected to be involved in the smuggling, as such, the petitioner is not entitled to get the concession of anticipatory bail at this stage.

However, the observations made hereinabove while declining the present petition for anticipatory bail, shall not have any bearing on the merits of the case.

Dismissed in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

02.02.2023
Poonam Negi

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