

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

CRM-M No.48389 of 2023
Date of decision: 25th September, 2023

Vicky Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Pratula Sethi, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0124 dated 26.08.2023 under Section 61/1/14 of the Punjab Excise Act, 1914 registered at Police Station Division No.4/Lahori Gate, District Patiala.

2. Learned counsel, inter alia contends that a false and fabricated case has been planted upon the petitioner for allegedly transporting 60 sealed bottles of country-made liquor in his car. She submits that in fact, the car of the petitioner had been taken away by the police from his residence in his absence and still further, the alleged recovery was effected in the absence of any independent person.

3. On a pointed query put to the learned counsel qua the antecedents of the petitioner, she has submitted that the petitioner was involved in as many as 4 cases of similar nature, however, he had since

been acquitted in 2 of those cases and in the remaining 2 cases, he was on bail.

4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. It is evident that the petitioner is a habitual offender and he has misused the concession of bail which was granted to him in the other cases, which stand registered against him. In the facts and circumstances as enumerated hereinabove, the petitioner does not deserve the extraordinary concession of anticipatory bail. The petition as such stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 25, 2023
rps

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