

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-4324-2024

Date of decision: 29.01.2024

Gurmukh Singh @ Ghogha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Pankaj Bali, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.258 dated 28.12.2023 under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Sadar Khanna.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was not present at the spot when the alleged recovery of 20 boxes containing 720 bottles of illicit liquor was effected from the co-accused by the police; he came to be nominated as an accused on the basis of a disclosure statement suffered by the co-accused. Learned counsel submits that the evidentiary value of such disclosure statement is very weak and points to his false implication in the case in hand.

3. On a pointed query put to the learned counsel, however, he has not disputed that the petitioner is involved in three other cases of similar nature. It has also not been disputed that the petitioner was on bail when the crime in question was committed.

4. I have heard learned counsel and perused the relevant

material on record.

5. A perusal of the FIR which has been annexed as Annexure P-1 reveals that a specific secret information had been received qua the involvement of the petitioner and the co-accused in the sale of illicit liquor. In the facts and circumstances as enumerated hereinabove coupled with his criminal antecedents, the petitioner does not deserves to be extended the extraordinary concession of anticipatory bail to him.

6. Accordingly, the instant petition is hereby dismissed.

7. 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.

29.01.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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