



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

CRM-M No.30743 of 2024
Date of decision: 1st July, 2024

Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek Singla, 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.0082 dated 27.05.2024 under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Jaito, District Faridkot.

2. Learned counsel inter alia contends that it was on account of some political pressure, a false and fabricated case has been planted upon the petitioner for allegedly being involved in the distillation of illicit liquor. He further submits that the false implication of the petitioner in the FIR in question is further evident from the fact that he was not even present at the spot from where 500 liters of Lahan stored in three drums along with other distilling material was allegedly recovered. Learned counsel submits that since the petitioner has no other criminal antecedents, he deserves to be extended the extraordinary concession of anticipatory bail, more so, when he is



willing to join investigation and cooperate with the Investigating Agency.

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

4. It would be apposite to reproduce the allegations levelled in the FIR in question, which read thus:

“S.H.O. Police Station Jaito "Fatih", today myself ASI alongwith Senior Constable Mandeep Singh 920/Faridkot, Constable Jagsir Singh 886/Faridkot, Constable Vikram Sharma 19/Faridkot, Lady Constable Manpreet Kaur 592/Faridkot, L/PHG Manpreet Kaur 23109, PHG Tejpal 32427 along with investigation kit on private vehicle for patrolling and checking suspicious men and in connection with Lok Sabha Elections 2024 were present at the bus stand SeweWala. It will be around 03.30 pm that the informant has passed the information to the ASI that accused Balwinder Singh son of Mahinder Singh resident of Chandbhan who used to sell illicit liquor in his house, if Balwinder Singh's house is raided now, a large quantity of illicit liquor, empty or open furnace or furnace equipment, empty bottles etc. may be recovered and that the information is solid and reliable. Due to which offence u/s 61/1/14 Ex act is made out against Balwinder Singh and therefore since the ingredients of the offence are fulfilled, the Rukka against Balwinder Singh son of Mahinder Singh, resident of Chandbhan is sent to the police station of Jaito through L/PHG Manpreet Kaur 23109. By filing a case, the number should be made aware of the case. Information should be given through W/M to PCR/FDK



and concerned officials. Myself ASI along with fellow companions left for the house of Balwinder Singh, resident of Chandbhan. Sd/-Gurjant Singh ASI Police Station Jaito Dated 27.05.2024.”

5. A perusal of the allegations levelled in the FIR in question clearly reveals that specific secret information was received qua the involvement of the petitioner in the manufacture and sale of illicit liquor; a raid was subsequently carried out leading to the recovery of 500 liters of Lahan, a plastic Can containing 25 liters of illicit liquor, drum, Pan, gas cylinders etc. along with a working Still from the house of the petitioner himself. Prima facie, the petitioner’s involvement in the crime in question cannot be ruled out, for which he does not deserve the extraordinary concession of anticipatory bail.

6. In the facts and circumstances as enumerated hereinabove, the petition is dismissed. 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

July 1, 2024
rps

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