

**IN THE COURT OF MS.SANJEETA,
ADDITIONAL SESSIONS JUDGE,
BATHINDA (UID:PB-0177).**

CRN PBBT01-008708-2020.
CIS No.BA-3554 of 2020.
Date of Order:29.12.2020.

Jasvir Singh, aged about 34 years son of Sh.Karnail Singh, resident of village Faridkot Kotli, Tehsil and District Bathinda.

..... Applicant.

Versus

State of Punjab

FIR No.208 dated 16.10.2020.
Under Section: 61 Excise Act.
Police Station: Sangat, Bathinda

Bail application u/s 438 Cr.P.C.

Present: Sh.Baljit Singh, Advocate, Counsel for applicant/ accused
(through VC).
Sh.M.S.Sidhu, Addl. PP for the State.

ORDER

1. This order of mine shall dispose of first bail application under Section 438 Cr.P.C. filed by applicant/ accused in the above mentioned FIR.

2. Learned counsel for the applicant has submitted that no offence is made out against the applicant. Nothing was recovered from him. No illicit liquor has been recovered at the spot and the recovery, if any planted upon the applicant has already been effected from the accused. Nothing is to be recovered from the applicant/ accused. Applicant is ready to join the investigation. He has prayed for the acceptance of bail application.

3. On the other hand, learned Additional Public Prosecutor for State has opposed the bail application alleging that recovery of 20 liters of Lahan was recovered from the house of applicant Jasvir Singh. He

has prayed for dismissal of the bail application. Police record produced, which is seen and returned.

4. I have considered the submissions made by learned counsel for applicant as well as learned Addl.PP for the State.

5. Perusal of the file reveals that on the basis of secret information received against Jasvir Singh that he is habitual of distilling and selling illicit liquor at his house, raid was conducted by the police party headed by ASI Charanjit Singh, at the house of accused Jasvir Singh, from where a plastic drum containing 20 liters of Lahan was recovered. The drum containing Lahan were taken into police possession.

6. Accused/ applicant has not disputed qua the ownership of the house, from where recovery of Lahan was effected. It has become a trend for the law violators to abscond from the scene of occurrence to avoid their apprehension. Applicant by indulging in distilling illicit liquor with the help of Lahan has caused loss to the State Exchequer. So, I find that custodial interrogation of applicant is required to ascertain as to whether the Lahan recovered from his house was to be used by himself for distilling illicit liquor or whether the Lahan was to be sold by him to some other person for the purpose of distilling illicit liquor. In such circumstances, I find no sufficient reason to grant concession of anticipatory bail to the applicant. Hence, bail application of applicant thus stands declined. File be consigned to the record room.

**Pronounced:
Dt.29.12.2020.**

**(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).**

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Jasvir Singh versus State of Punjab

Present: Sh.Baljit Singh, Advocate, Counsel for applicant/ accused
(through VC).
Sh.M.S.Sidhu, Addl. PP for the State.

Arguments heard. Vide my separate detailed order of even date,
the bail application stands dismissed. File be consigned to the record
room.

Pronounced:
Dt.29.12.2020.

Kulwinder Singh,
Stenographer-II

(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).