

State Vs. Chamkaur Singh alias Chamkauri

BA-142-2021

FIR no. 23 dated 06.04.2021

U/s 61 of Excise Act

PS Bilga.

Present: Sh. N.K.Bhambi Advocate, Counsel for the accused. (Accused in custody)
Sh. Sachin Thapar, APP for the State

File put up before me being Duty Magistrate. Arguments heard on bail application moved on behalf of accused person namely Chamkaur Singh alias Chamkauri. In the application, it is averred that PS Bilga has falsely registered the present case against the accused. The Police Officials of PS Bilga have falsely implicated the accused in the present case. It is further averred that the investigation of the present case has already been completed and the accused is not required for further investigation in the present case. Moreover, the trial will take long time and keeping him behind the bar will not serve any purpose. It is further averred that the accused will abide by all the terms and conditions of imposed by this court and will appear on each and every date fixed in this case. It is further averred that the accused will not jump over the bail bonds nor temper with the prosecution evidence or will not win over the prosecution witnesses. Lastly, it is prayed that the present application may kindly be allowed and accused may kindly be released on bail in the interest of justice.

The learned APP for the State has not filed any written reply to the application, but has orally opposed the application on the ground that if bail is granted to the accused, he is likely to abuse the concession of the bail. The learned APP for the state has prayed for dismissal of the present bail application of the accused.

Police record received. As per police record, the prosecution version is that on 06.04.2021 the police party headed by ASI Kanwaljit Singh was on petrol duty on their private vehicles in connection with checking/prevention of business of illicit liquor and his police party was proceeding from Mand Area towards Dhussi Bandh Sultej river-Village Sangowal. When the police party reached village Sangowal, Excise Inspector Ravinder Singh also joined the police party and on the way secret informer had given information to the effect that some unknown person has kept illicit liquor (Lahan) by

digging pits on the bank of Sutlej river in plastic Tarpaulin and if raid is conducted, heavy quantity of liquor can be recovered. Secret information was found trustworthy, ruqa was scribed and sent to the police station for registration of FIR and police party proceeded towards the disclosed place, from where 12 plastic tarpaulin, each plastic tarpaulin containing 600 kg. Illicit liquor (Lahan) was recovered. The perusals of police record shows that during investigation, it has come on record that 7200 kg. Lahan recovered in this case was kept/distilled by present accused. The perusal of the police record further shows that heavy quantity of illicit liquor (Lahan) has been recovered from accused. The allegations levelled against accused are serious in nature. As such, taking into consideration the nature of allegations and gravity of offence, this Court finds no merit in the present bail application and the same is hereby dismissed. Papers be sent back to the concerned Court forthwith.

Announced:

22.06.2021

Jasbeer Singh
(Unique Identity Code 0490)
Judicial Magistrate Ist Class
Phillaur/Duty.

Manisha Malik
Stenographer-III