

**In the Court of Sh. Daljit Singh Ralhan, Additional Sessions Judge,
Amritsar. (UID No. PB0198)**

CIS No. BA/1586/2021
CNR No. PBAS010039362021
Date of Institution : 23.3.2021
Date of order: 07.04.2021

State

Versus

Gurkirat Singh @ Toni, son of Ajaib Singh, r/o Village Kotli Sakka, Tehsil
Ajnala, District Amritsar

----- Applicant/ accused.

FIR No. 35, dated 13.03.2021
Under Section: 61 Excise Act
Police Station: Raja Sansi.

Ist application for regular bail u/s 438 Cr.P.C.

Present:- Sh. Yash Pal Kwatra, Advocate for applicant-accused.
Ms Anju Sharma, Addl.PP for the State.

ORDER:

This order of mine will dispose of application for anticipatory bail filed by accused-applicant Gurkirat Singh @ Toni.

2. Accused-applicant has alleged that he has falsely implicated in the present case at the instance of father-in-law Hardev Singh of cousin of accused-applicant, who has solemnized the marriage with Harpreet kaur against the wishes of her family. Alleged recovery has been planted upon him. Nothing is to be recovered from the accused-

applicant. He is ready to join the investigation and prayed for allowing the present bail application.

3. Notice of bail application was given to the Addl. PP for the State, who appeared and contested the bail application. Police record has been summoned.

4. Ld. Counsel for accused-applicant has pressed for bail on the ground that applicant - accused has been falsely implicated in the present case at the instance of father-in-law of his cousin. Ld. Counsel for accused-applicant has further argued that the alleged recovery has already been effected. Applicant-accused is ready to join the investigation and as such bail may be granted to the accused-applicant.

5. On the other hand, ld. Addl. PP for the State has opposed the bail application on the ground that the applicant-accused was distilling the illicit liquor with help of two working still and heavy recovery of Lahan as well as illicit liquor has been effected from her possession. ld. Addl. PP has pressed for dismissal of the bail application.

6. Statement of ASI Subash Chander has been recorded. Perusal of the record & Statement of ASI Subash Chander Investigating Officer shows that the case was registered on the basis of secret information, and on conducting the raid at the house of accused-applicant, the articles of two working still alongwith 14000 Kgs of Lahan & 56250 ML (56.250 Litres) of illicit liquor has been recovered from the possession of applicant-accused. The allegations are serious in nature and the act of the accused-applicant is against the society. Recovery from the

accused-applicant is of heavy quantity. Custodial interrogation of the accused-applicant must be required to the police to ascertain the source of the entire articles and the network regarding the supply. Keeping in view the above facts and circumstances, this court does deem it fit to grant the concession of anticipatory bail to the accused-applicant Gurkirat Singh @ Toni. Accordingly, present bail application stands dismissed. Record be returned alongwith copy of this order and record of bail application be consigned to record room after due compilation.

Pronounced.
Dated: 07.04.2021

(Daljit Singh Ralhan)
Addl. Sessions Judge, Amritsar
(UID No. PB0198)