

BA1627 Beant Singh Vs.State
(CNR No.PBHO010051982024)

Present: Sh.RS Abhi, Advocate counsel for the bail applicant/accused
Sh.Inderjot Singh, Addl.Public Prosecutor for the respondent
State.

1. This application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail was filed by bail applicant/accused Beant Singh on 31.05.2024. Upon notice, respondent State appeared and contested the bail application. Police record has been produced by ASI Satpal Singh. Record of the connected bail application pending in this court for today is also available.

2. Arguments heard. Record perused. In this case, FIR No.33 dated 26.04.2024, under Section 61 of Punjab Excise Act, 1914 and Section 308, 328, 511 of Indian Penal Code, Police Station Garhdiwala, District Hoshiarpur, has been registered on the basis of secret information received by ASI Satpal Singh to the effect that Kulwant Singh and Beant Singh are preparing poisonous liquor at their house by mixing chemical and are selling the same to people by putting their life in danger.

3. After registration of the formal FIR, a raid was conducted. Both the accused were found carrying one plastic container each. But on seeing the police party, they ran away leaving the plastic containers. Plastic container of Beant Singh was found containing 35 liters of illicit liquor and plastic container of Kulwant Singh was found containing 35 Liters of illicit liquor. Sample of the liquor was drawn and the same was sent to the office of Chemical Examiner. Report of Chemical Examiner has been received showing the contents of the sample to be those of illicit liquor. The

investigation of the case is being conducted.

4. Through the present application, pre-arrest bail has been sought by the bail applicant/accused on the ground that false allegations have been levelled against him; recovery has already been effected; the case is outcome of political enmity; nothing is to be recovered from him and he is ready to join the investigation. However, these allegations have been denied by the respondent State.

5. Perusal of police record reveals that FIR was registered on the basis of secret information. The accused had succeeded in running away while leaving two plastic containers each containing 35 liters of illicit liquor. Sample of the said liquor has been drawn which was sent to the office of Chemical Examiner. As per report of the Chemical Examiner, contents of the sample are found to be those of illicit liquor. It is a case of recovery of illicit liquor. No offence under Section 308, 511 of Indian Penal Code is stated to be made out against the bail applicant/accused as he alongwith his co-accused had not sold the liquor to anyone. The recovery has already been effected and he is ready to join the investigation. Therefore, keeping in view the abovesaid facts and circumstances of the case, the bail applicant/accused is directed to join investigation within a period of one week and if he does so, he shall be admitted to interim bail on his furnishing a personal bond in the sum of ₹50,000/- with one surety of the like amount to the satisfaction of the arresting officer, subject to his complying with conditions imposed under Section 438 of the Code of Criminal Procedure. Police record be returned.

6. To come up on 03.07.2024 after compliance of this direction.

Long date is given due to ensuing summer vacation.

Pronounced in open court on:
07.06.2024
Suresh Sood, Stenographer

(Dilbagh Singh Johal)
Sessions Judge, Hoshiarpur.
(UID No.PB0069)