

**In the Court of Mrs. Indu Bala, PCS
Sub Divisional Judicial Magistrate,
Moonak.**

**B.A. no. 2 of 2022
CNRNo.PBSGD10000212022
Date of Order:-12.01.2022**

**Jagpal Singh son of Ami Lal resident of village Banga,
P.S.Moonak, District Sangrur.**

.....Applicants/Accused

Versus

State of Punjab

.....Respondent

**FIR No. 03 dated 04.01.2022
Under Section 61/1/14 Excise Act
Police Station Moonak**

**Present : Adv. Sh. A.K. Joshi, counsel for accused
Jagpal Singh. (in custody)
Shri Sonu Bansal, Ld.APP for the State.**

1. Heard, on the bail application filed by applicant-
accused Jagpal Singh on the assertions that the applicant-
accused has been falsely implicated in the present case. He has

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not committed any offence as alleged by the prosecution. The police officials have planted a false case against the applicant-accused with the intention to harass the accused. No recovery has been effected from the applicant-accused. Asserting on these ground, the accused-applicant has prayed for concession of bail of accused-applicant Jagpal Singh.

2. Notice of the application was given to the Ld. APP for the State who has filed the written reply it is evident that the accused is habitual offender and previously also the FIR no. 123 dated 01.10.2014 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. Another FIR no.77 dated 09.06.2016 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. In another case FIR no.54 dated 08.06.2018 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. In another case bearing FIR no. 77 dated 2015, the accused was convicted. Denying all the averments raised by the applicant and has vehemently opposed the application for bail of the applicant-accused by pointing out the contentions mentioned in the FIR

3. The FIR against the applicant-accused Jagpal Singh was registered for the offence punishable under section

61/1/14 Excise Act by the police authorities of P.S.Moonak. On the assertions that the accused was found in the possession of 80 Ltr Lahan was recovered from the accused. In reply of the Ld. APP for the State it is evident that the accused is habitual offender and previously also the FIR no. 123 dated 01.10.2014 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. Another FIR no.77 dated 09.06.2016 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. In another case FIR no.54 dated 08.06.2018 for the offence punishable under Section 61/1/14 Excise Act, P.S.Moonak was registered against him. In another case bearing FIR no. 77 dated 2015, the accused was convicted. The conduct of the accused shows that the accused is habitual offender and he is continuously involved in the offence relating to the illicit liquor. Accused has not stopped his illegal activities despite his conviction which shows that in case the bail is granted to the accused he would misuse the said concession. The allegations against the accused are heinous and grave in nature.

4. As such, this court finds no justification in the granting of bail as there is every possibility that the accused may misuse the concession of the bail. In view of the gravity of

the nature of offence, the court is of the opinion that the accused do not deserve the Concession of Bail. Accordingly, the bail application stands dismissed. Bail application be attached with the case file.

Pronounced in the Open Court

Date of order :12.01.2022

**(Indu Bala), PCS
SDJM, Moonak
(UID-PB00368).**

Kamalpreet Kaur Stenographer-II

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