IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236-1 CRA-S-2265-2025 (O&M)

Ravinder Kumar Jain . . . Appellant

Versus

State of Punjab and another . . . Respondents

236-2 CRA-S-2272-2025

Rishabh Jain . . . Appellant

Versus

State of Punjab and another . . . Respondents

Decided on :05.12.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rakesh Nehra, Senior Advocate, with
Mr. Hitesh Malik, Advocate for the appellant(s)
(in both the appeals).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

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SANJAY VASHISTH, J. (Oral)

1. By this common order, both of the above-mentioned appeals are disposed of together, as they have arisen from the same occurrence and stem from the registration of same First Information Report (FIR).

2. Appellants have filed the present appeals by challenging the orders passed by learned Additional Sessions Judge, Amritsar, whereby applications filed under Section 483 of BNSS for grant of bail to the appellants were dismissed, vide impugned order dated 06.06.2025, in case, FIR No.42 dated 13.05.2025 registered under sections 105, 103, 109/1(2) of BNS, Sections 61/1/14 of Punjab Excise Act, sections 3, 4 of

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SC/ST Act, and Section 6 of Poison Act at Police Station Majitha, District Amritsar Rural.

3. Earlier, ten persons lost their lives after consuming spurious liquor. Consequently, FIR in question was registered against the appellants.

4. As per the FIR, police received information that Prabhjit Singh @ Babbu and Kulbir Singh @ Jaggu, sons of Amrik Singh, were engaged in preparing large quantities of alcohol and intoxicants and supplying them to various villages. It was further reported that they had already sold the alcohol prepared by them to (1) Sahab Singh @ Rai, (2) Gurjant Singh @ Janta, (3) Sikander Singh @ Pappu, (4) Ninder Kaur, (5) Paramjit Singh @ Pamma, and (6) Raja, who in turn distributed it to different individuals in their respective villages. As a result of consuming this alcohol, several persons died, namely:- (1) Major Singh @ Modu, (2) Paramjit Singh @ Panna, (3) Sarabjit Singh @ Sabba, (4) Tasveer Singh @ Sikdar, (5) Joginder Singh @ Manna, (6) Karnail Singh @ Mahant, (7) Jeeta @ Siti, (8) Balbir Singh, (9) Ramandeep Singh, and (10) Romanjit Singh @ Romi. Some other persons were also reported to have fallen ill after consuming the said poisonous liquor.

During the course of investigation, Investigating Officer gathered evidence relating to the purchase of materials used for preparing the spurious liquor. One such instance revealed that the chemical methanol was in the process of being procured from the present appellant(s).

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5. Paragraph Nos.9, 10 and 11 of the status report dated 16.09.2025, filed by learned State counsel, explain how the appellant(s) came to be implicated as accused in the present case.

For reference, paragraph Nos.9, 10 and 11 are reproduced here under:-

> *"**9.** That during the investigation, the co-accused Sahib Singh alias Saaba suffered a disclosure statement dated 14.05.2025, disclosing therein that he was in touch with Rishabh Jain and his father Ravinder Kumar Jain (petitioner) and he used to contact the co-accused Rishabh Jain on his mobile No. 99587-76266 and order was placed with the co-accused Rishabh Jain, son of the petitioner for delivery of 600 liters of Alcohal (Methanol).*
>
> ***10.** That during the investigation, the co-accused Rishab Jain son of the petitioner suffered a disclosure statement dated 23.05.2025, disclosing therein that he is having a registered firm namely Bharat Heavy Chemical (Delhi) and he received a call from Ravi Kumar from mobile No. 80546-16158 through India Mart and he sent all the items, in which he deals, to Ravi Kumar on 11.05.2025, he received a message from Ravi Kumar, who asked for 500 liters of Methanol daily. He further disclosed that when he asked Ravi Kumar that for what purpose he was demanding Methanol. Ravi Kumar told him that he will prepare sanitizer from Methanol, but on re-enquiry, the co- accused Ravi Kumar disclosed that he will prepare illicit liquor from the aforesaid Methanol and he sent an estimate of Rs. 35.872/- for 600 liters Methanol to Ravi Kumar on 11.05.2025 and send his accounts detail to Ravi Kumar. He further disclosed that Ravi Kumar transferred Rs. 20.000/- and 15.872/- through UPI Transaction and he sent 3 drums of Methanol from Shikhar Industries. Sonepat Haryana and wrote Thinner on the bills instead of Mehtanol.*

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> ***11.*** *That it is humbly submitted that during the investigation, it was found that the petitioner was a authorized signatory of Bharat Heavy Chemicals, who signed the bill dated 12.05.2025 relating to sending of three drums of Methanol by changing its name as Thinner. The copy of the aforesaid bill is attached herewith for the kind perusal of this Hon'ble Court as Annexure R-1."*

7. Recoveries were also effected from the accused persons, as detailed in paragraph No.8 of the status report.

For reference, contents mentioned in paragraph No.8 of the status report is reproduced here under:-

> "i). *Sahib Singh alias Saba son of Sukhdev Singh; (Date of Arrest: 13.05.2025)*
>
> ***Recovery****: One canister containing 20 bottles of alcohol methanol, one Ford Figo Car and one mobile phone.*
>
> *ii.) Ravi Kumar son of Roshan Lal; (Date of Arrest: 16.05.2025)*
>
> ***Recovery****: One canister containing 20 bottles of alcohol methanol, one Pulsar Motorcycle and one mobile phone.*
>
> *iii.) Prabjit Singh alias Babbu son of Amrik Singh; (Date of Arrest: 13.05.2025)*
>
> ***Recovery****: One canister containing 10 bottles of alcohol methanol, one burnt can and one mobile phone.*
>
> *iv.) Kulbir Singh alias Jaggu son of Amrik Singh; (Date of Arrest: 13.05.2025)*
>
> ***Recovery****: One canister containing 10 bottles of alcohol methanol, one can and one mobile phone.*
>
> *v.) Gurmeet Singh alias Shabba son of Tara Singh; (Date of Arrest: 14.05.2025)*

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(NO RECOVERY)

vi.) Sahib Singh alias Rai son of Pritam Singh;
(Date of Arrest: 13.05.2025)
(NO RECOVERY)

vii.) Gurjant Singh alias Jeta son of Sahib Singh;
(Date of Arrest: 13.05.2025)
(NO RECOVERY)

viii.) Sikander Singh alias Pappu son of Sarabjit Singh,
(Date of Arrest: 13.05.2025)
(NO RECOVERY)

ix.) Ninder Kaur, wife of Sita alias Jeeta;
(Date of Arrest: 13.05.2025)
(NO RECOVERY)

x.) Paramjit Singh alias Pamma;
(Date of Arrest: 14.05.2025)
(NO RECOVERY)

xi.) Pankaj Kumar alias Sahil son of Raj Kumar;
(Date of Arrest: 13.05.2025)

***Recovery**: One Laptop, one mobile phone, one apple mobile phone and four files.*

xii.) Arvind Kumar son of Raj Kumar;
(Date of Arrest: 13.05.2025)
(NO RECOVERY)

xiii.) Rishab Jain son of Ravinder Jain;
(Date of Arrest: 14.05.2025)
(NO RECOVERY)

xiv.) Ravinder Kumar Jain son of Nand Kishore Jain;
(Date of Arrest: 14.05.2025) (Petitioner)

***Joint Recovery**: Four sale purchase register, one Vivo mobile, one Samsung mobile, one iphone and two Lenovo laptops.*

xv.) Fanil Nagpal son of Rajesh Kumar;
(Date of Arrest: 20.05.2025)

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Recovery: One sample, one mobile phone, bill No. 1274, one CPU and stock register of 2025.

xvi.) Rajvinder Singh alias Raja son of Vassan Singh;
(NO RECOVERY)

xvii.) Raja son of Taba;
(NO RECOVERY)

xviii.) Rajeev Kumar Jain son of unknown;

(NO RECOVERY)

xix.) Kawaljit Singh son of Jaspal Singh;
(NO RECOVERY)

xx.) Navdeep Singh alias Deep son of Mohan Singh (Declared innocent during the investigation)

Recovery*: 3 drums plastic containing 200 liters alcohol methanol each with a total of 600 liter and grocery along with truck No. PB 10 HT 1577."*

8. After hearing the arguments advanced by learned senior counsel for the appellant(s), the record was also examined on the previous date of hearing, i.e., 03.11.2025, and following order was passed:-

"i) While reading out the FIR, learned Senior Counsel for the appellant argues that the Investigating Officer received secret information regarding accused (i) Prabhjit Singh @ Babu and (ii) Kulbir Singh @ Jagu, to the effect that they were engaged in the business of preparing large quantities of alcohol and intoxicants, which were thereafter being supplied to different villages. From the secret information, it also emerged that the aforesaid two accused used to prepare the alcohol, which was then sold to other accused, namely (iii) Sahab Singh @ Raai, (iv) Gurjant Singh @ Janta, (v) Sikander Singh @ Papu, (vi) Ninder Kaur, (vii) Paramjit Singh @ Pamma, and (viii) Raja. The said alcohol was allegedly supplied to various persons in their respective villages, as a result of which about ten persons lost their lives.
(ii) Learned Senior Counsel further submits that, as

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per the FIR, the deaths were reported to the police at about 6:15 a.m. on 13.05.2025. Therefore, in all likelihood, the alleged spurious liquor would have been prepared and delivered sometime on 11th or 12th May 2025, or even earlier.

(iii) Learned Senior Counsel also refers to the final investigation report/challan, wherein he draws attention to the disclosure statement of the main accused, namely Sahab Singh @ Saba, in which he disclosed as under:

"that on 10.05.2025, I searched on Google and sent an inquiry on IndiaMART to Bharat Heavy Chemicals, New Delhi. And on my Whatsapp they sent me a list of chemicals which they had available with them. On 11.05.2025, I contacted them by phone and discussed about the purchase of ***600 liters of Methanol****. They asked me what I intended to do with the Methanol. Initially, I told them I would use it to make hand Sanitizer, but they didn't belevie me, so I told them I intended to prepare illegal liquor from it. Rishab Jain also told me that Methanol is a poison and that illegal liquor cannot be prepared from it. I told him that we would be running a good business and that this illegal liquor is primarily consumed by poor people from lower castes, who are numerous in villages."*

iv) Reference is made to another document, namely the Tax Invoice dated 12.05.2025 (A-3) issued by Shikhar Industries, the manufacturer of Methanol, which was billed to Bharat Heavy Chemicals for a sum of Rs. 23,364/- inclusive of 18% GST. Learned Senior Counsel argues that, in fact, the invoice pertains to 600 liters of Methanol.

v) Learned Senior Counsel further refers to another tax invoice prepared by Bharat Heavy Chemicals dated 12.05.2025 (A-4), billed to one Ravi Kumar, Tehsil Ajnala, Village Harsha, Chhina Ucha Quilla, Ajnala, Amritsar, Punjab, for a sum of Rs. 35,872/- inclusive of 18% GST.

vi) Mr. Rakesh Nehra, Senior Advocate, submits that Shikhar Industries sold the Methanol to Bharat Heavy Chemicals, run by the appellant Rishab Jain, and Bharat Heavy Chemicals further sold it to Ravi Kumar, earning a profit over the purchased amount.

vii) Counsel further refers to the receipt dated 12.05.2025 issued by The Bharat Motor Transport Co. (P) Ltd., H.O. Nizam Road, Ludhiana, and submits that 600 liters of Methanol were transported from Sanjay Singh Transport, Delhi, to Amritsar, where the

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consignee, Ravi Kumar, was to receive it.

Viii) It is further argued that there cannot be any connivance or conspiracy between the appellant Rishab Jain and the main accused, namely Sahab Singh, etc., because prior to the transaction they had never met each other, nor has any such evidence been pointed out by the Investigating Agency during the investigation of the case.

Appellant has been engaged in the same business for the past 15-20 years and has a clean record, with no prior involvement in any similar activity.

ix) Learned Senior Counsel further submits that, as per the investigation report, the 600 liters of Methanol was recovered by the Investigating Officer on 14.05.2025 itself, i.e., after the occurrence. Therefore, it cannot be alleged that the Methanol arranged by the appellant at the request of the main accused, Sahab Singh, was used for the preparation of the spurious liquor that resulted in the deaths of several persons.

x) However, on being confronted by the Court, learned Senior Counsel for the appellant and learned State Counsel seek to verify whether the appellant's company/firm was authorized to engage in the trade of Methanol, which is indisputably a poisonous substance.

xi) List on 07.11.2025.

xii) To be shown in the urgent list.

xiii) A photocopy of this order be placed on the files of other connected cases."

9. Learned Senior counsel for the appellants relies upon 'The Poisons Act, 1919' and refers to Section 6 thereof, which prescribes *the penalty for unlawful importation.*

10. Admittedly, no material has been placed on record by the appellant(s) or the State, to show that appellant(s) possessed any licence to deal in the chemical 'methanol'. Therefore, the matter is required to be considered in accordance with Section 6 of the Poisons Act, 1919.

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For reference, Section 6 of the Poisons Act, 1919 reads as under :-

> *"6. <u>Penalty for unlawful importation, etc.—</u>*
>
> *<u>(1)</u> Whoever—*
> *(a) commits a breach of any rule made under section 2, or*
> *(b) Imports without a licence [into [India] across a customs frontier defined by the Central Central Government] any poison the importation of which is for the time being restricted under section 3, or*
> *(c) breaks any condition of a licence for the importation of any poison granted to him under section 3,*
> *shall be punishable, —*
> *(i) on a first conviction, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both, and*
> *(ii) on a second or subsequent conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.*
>
> *<u>(2)</u> Any poison in respect of which an offence has been committed under this section, together with the vessels, packages or coverings in which the same is found, shall be liable to confiscation."*

11. In regard to question (x) posed in the order dated 03.11.2025, learned senior counsel for the appellants relies upon Rule 3 of the Punjab Poisons (Possession and Sales) Rules, 2014, read along with the Poisons Act, 1919, and submits that methanol is included in the list of scheduled poisons at Serial No.67.

It is further submitted that any person who is not possessing licence in Form A and contravening the provisions of the Act or Rules is punishable under Section 6 of the Act, with a maximum imprisonment of three months for the first offence and up to six months in case of a

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repeated violation. Therefore, dealing in methanol for the preparation and sale of alcohol without a licence is punishable with imprisonment for a maximum period of three months for the first instance and six months in case of repetition, as detailed and noticed here above.

12. Referring to the facts and role attributed to the appellants, learned Senior counsel for the appellants further argues and reiterates that methanol dispatched by the appellants neither reached the accused persons nor it was ever used in the preparation of spurious alcohol in question. Consequently, it could not have contributed to the production of the spurious alcohol. Therefore, appellants cannot be held responsible for the deaths that have already occurred. Thus, learned Senior counsel prays for grant of bail to the appellants.

13. On the other hand, learned State counsel, on instructions, argues that in all the bills relied upon by the appellants, chemical/poison methanol has been described as ‘thinner.’ Therefore, it is a clear case of misrepresentation regarding the chemical sold to the main accused.

However, learned State counsel is unable to point out any evidence collected during the investigation showing that methanol transported by the appellant(s) to the addresses of the named accused actually reached them or was used in the preparation of the alcohol responsible for the fatalities.

Additionally, learned State counsel submits that during investigation, it was established that methanol used in the preparation of

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the fatal alcohol was purchased from Prakash Industries, Ludhiana, which is run under the directorship of one Shabi.

Moreover, no satisfactory explanation has been provided as to whether the said Director was made an accused in the present case, and if not, the reasons for not including the Director as an accused remains unexplained.

15. Taking into consideration all these circumstances, and particularly noticing that, based on the material available on record, it cannot be assumed that the chemical 'methanol' transported by the appellant(s) from Delhi to Amritsar ever reached the accused persons for use, at this stage, this Court finds that no tentative conclusion can be drawn regarding the involvement of the present appellant(s) in the unfortunate incidents resulting in deaths and disabilities. Accordingly, this Court deems it appropriate to grant the concession of bail to both the appellants.

Consequently, prayer made in the present appeals are allowed. Appellant(s) namely Ravinder Kumar Jain (in CRA-S-2265-2025) and Rishabh Jain (in CRA-S-2272-2025) are ordered to be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

16. Needless to observe that the appellant(s) shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

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17. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

18. It is further made clear that if, in future, appellant(s) are directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

19. Since a large number of people have lost their lives and might have suffered physical disabilities because of consumption of the spurious liquor, being it a case of peculiar circumstances, it is necessary to observe that in future, if any fresh evidence is collected by the prosecution regarding the involvement of both the appellants directly or indirectly attributing the cause of death involved in the present case, it will be open for the prosecution/victim(s) to move an application for recalling of the present bail order.

20. With the reasons recorded here above, both the appeals stand disposed of.

21. Pending applications, if any, shall also stand disposed of.

22. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

05.12.2025
ankit/Lavisha

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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