



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

218

CRM-M-11003-2025

Date of decision: 5th April, 2025

Gurpreet Singh @ Gora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been by the petitioner seeking grant of regular bail in case bearing FIR No. 09 dated 15.01.2025 registered under Sections 61 of The Punjab Excise Act, 1914 at Police Station City-I, Sangrur, District Sangrur.

2. As per the allegations, on 15.01.2025, the petitioner was apprehended while he was driving a swift car bearing registration No. PB13-BA-2349 and on checking the boot of his car, 109 bottles of different brands of liquor were recovered from the same. The petitioner was formally arrested. Investigation stands completed and challan has been presented.

3. It is argued by learned counsel for the petitioner that he is in custody since 15.01.2025. Trial would take time. His further incarceration would not serve any useful purpose. The concerned offence is triable by Magistrate. His involvement in other case cannot be considered to be ground



for denying benefit of bail to him. Accordingly, it is urged that he deserves to be released on bail.

4. Status report and custody certificates have been filed. Learned Deputy Advocate General, Punjab has argued that the petitioner is a habitual offender. He has been convicted in seven cases lodged under Section 65 of Excise Act, whereas, two cases under the same provisions are pending against him. There are chances of his committing similar offences and absconding, if extended benefit of bail. Accordingly, it is urged that the petition does not deserve to be allowed.

5. Rival contentions of both sides have been considered.

6. The petitioner is in custody since 15.01.2025. Trial would take considerable time to conclude. Merely because of the fact that he has been involved in similar cases, his prayer for release on bail cannot be rejected. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the facts as discussed above, I am of the considered opinion that the petitioner deserves to be released on bail.

7. Accordingly the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds and surety bonds to the extent of two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. During trial, he shall appear before the Police Station Model Town, Ludhiana on the first Monday of every month and shall mark his presence. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned



trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.

8. The concerned SHO shall give immediate intimation to the trial Court, if the petitioner fails to appear before him on first Monday of any month in compliance of the directions issued by this Court and on failure of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

5th April, 2025

Parveen Sharma

1. Whether speaking/ reasoned

: Yes / No

2. Whether reportable

: Yes / No