



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

**CRM-M No.14011 of 2024**  
Date of decision: 30<sup>th</sup> January, 2025

Shamsher @ Manu Rana

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Randeep S. Dhull, Advocate for the petitioner.

Mr. Rajat Gautam, Addl. Advocate General, Haryana  
for the respondent/State.

**MANJARI NEHRU KAUL, J.**

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.410 dated 09.11.2023 under Sections 120-B, 188, 201, 272, 308, 328, 420, 468, 471, 472, 473 of the IPC and Sections 61, 63A of the Punjab Excise Act, 1914 (Haryana Amendment Bill 2020) registered at Police Station Mullana, District Ambala.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant case concerning the alleged manufacture of spurious liquor. It is submitted that the petitioner was neither named in the FIR in question nor was any recovery affected from him, thereby raising serious doubts about his involvement. Learned counsel further argues that the implication of the petitioner rests solely

on the disclosure statement of the co-accused, Ankit, which, in itself, has limited evidentiary value in the absence of any corroborative material.

3. It is further contended that the case of the prosecution lacks credibility, as multiple fatalities have occurred in the locality due to the consumption of spurious liquor allegedly manufactured by the co-accused. However, in none of those cases has the petitioner been named. Additionally, learned counsel has highlighted that during his custody in another case, the petitioner was undergoing medical treatment and remained under continuous watch and scrutiny, thereby precluding any possibility of his participation in the alleged conspiracy attributed to him in the present case.

4. Learned counsel also submits that the petitioner has been in custody since 30.11.2023, and with 51 out of 53 prosecution witnesses yet to be examined, the trial is unlikely to conclude soon. It has been argued that in these circumstances, further incarceration of the petitioner would serve no useful purpose, and therefore, the petitioner deserves the concession of bail.

5. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. It has been submitted by the learned State counsel that the allegations against the petitioner are of a grave and serious nature, as he was an active conspirator alongside the main accused, Ankit, in the manufacture and distribution of spurious liquor, which resulted in the tragic death of 20 persons.

6. The learned State counsel, on instructions, has further submitted that the petitioner and the prime accused became acquainted while in custody in an unrelated case, following which they conspired to engage in the spurious liquor business. Additionally, it has been submitted, on instructions, that the petitioner has a history of criminal antecedents, with as many as 13 other FIRs pending against him for serious offences. Given this background, the learned State counsel submits that there is a genuine apprehension that, if released on bail, the petitioner is likely to misuse his liberty and indulge in similar illegal activities. Furthermore, the learned State counsel, on instructions, has submitted that the trial is proceeding at a reasonable pace, with 2 out of the 53 prosecution witnesses already examined.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. Prima facie, allegations against the petitioner are of a serious and heinous nature. The petitioner is alleged to have conspired in the manufacture and distribution of spurious liquor, which led to multiple deaths. The gravity of the offence and its impact on public safety cannot be overlooked.

9. Additionally, the petitioner's criminal antecedents, with 13 other FIRs registered against him for serious offences lend substantial weight to the apprehension raised by the learned State counsel that the petitioner may misuse the concession of bail, if granted. The contention that the petitioner's implication is based solely on the disclosure

statement of a co-accused, cannot be viewed in isolation at this stage as the overall circumstances, including his acquaintance with the prime accused prima facie indicate his involvement in the present case. Therefore, in the facts and circumstances, as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition as such is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)  
JUDGE

January 30, 2025  
*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |