

**CRM-M-30977-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.208****Case No. : CRM-M-30977-2025****Decided On : July 09, 2025**

Shimla Devi

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

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

Mr. P. S. Pandher, AAG, Punjab.

* * *

SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.0043 dated 23.04.2025, under Section 61-1-14 of the Punjab Excise Act, 1914, registered at Police Station Singh Bhagwantpur, District Rupnagar.

The prosecution story, in brief, is that the police got secret information that the petitioner and one Sahil Kumar were selling illicit liquor. On 22.04.2025, they had brought liquor in heavy quantity from Chandigarh and if raid would be conducted, the petitioner and aforesaid Sahil Kumar could be apprehended along with huge quantity of illicit liquor. Believing the information to be true, raid was conducted at the petitioner's house and 12 boxes of liquor containing 124 bottles of Counter Gold Whiskey and 14 bottles of Counter XXX Gold Rum were recovered. Hence,

**CRM-M-30977-2025****2**

the present FIR was registered.

Learned counsel for the petitioner has contended that the recovery has not been effected from possession of petitioner Shimla Devi and she has been falsely implicated in the present FIR. At the time of alleged recovery, she was not present in the house. She is 53 years of age and is not involved in any other case. He urged that custodial interrogation of the petitioner is not required and no recovery is to be effected from her and prayed that the petitioner be granted concession of anticipatory bail.

Notice in this case was issued on 29.05.2025 and Status Report was called from the State, which has already been placed on record.

Learned State counsel has opposed the present bail petition and has contended that the allegations levelled against the petitioner are serious in nature and so, she does not deserve concession of anticipatory bail.

Heard.

The petitioner was not present at the time of raid at her house, from where the alleged recovery of illicit liquor was effected. The recovery in this case has already been effected and now, nothing is to be recovered from the petitioner. As per the Status Report, she has not been found involved in any other case. Thus, when the petitioner is not having any criminal antecedents and custodial interrogation of the petitioner is not required for any purpose, then no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is



ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

July 09, 2025
monika

(SUKHVINDER KAUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>