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

**CRM-M No.34275 of 2025 (O&M)
Date of decision : 20.08.2025**

Anita

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Dhawaljeet Dutta, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

CRM-24938-2025

Allowed as prayed for.

CRM-M-34275-2025

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.0100, dated 02.05.2025, under Section 61 of Punjab Excise Act, registered at Police Station City Gurdaspur, District Gurdaspur.

2. Succinctly the facts of the case are that the police party, while on patrolling on 02.05.2025, received a secret information to the effect that Anita, wife of Roop lal was habitual of selling illicit liquor. It was informed that she was having 04 plastic Cans and was waiting for selling



the same to the customers. On receiving the secret information, the police reached at the place disclosed where the lady was found sitting on the Can. On seeing the police, she tried to escape, however she was apprehended. On asking, she disclosed her name to be Anita (petitioner). The search of the Cans was conducted and on conducting the search, 140 bottles containing 105 litres of illicit liquor was recovered. She failed to produce any licence regarding the conscious possession of the same and thus, the FIR was registered and she was arrested on the spot. On registration of the FIR, the investigation commenced. On completion of the investigation, the challan was presented. The petitioner approached the Court of learned Additional Sessions Judge, Gurdaspur, praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Gurdaspur declined the petition filed by the petitioner vide order dated 18.06.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the alleged recovery has been planted upon the petitioner. He has submitted that the recovery has been shown to have been effected from the public place, however, there is no independent witness joined. He has submitted that the petitioner has been falsely implicated in 07 other cases, however she has been released on probation in those cases. He has submitted that the petitioner was implicated in false cases, hence, the present case is also planted upon her. He has submitted that the



investigation is already complete and the challan has been presented. He has submitted that the petitioner is behind bars since 02.05.2025. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

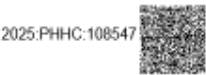
4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She has submitted that the petitioner is a habitual offender. She has submitted that the petitioner was arrested along with the 105 litres of illicit liquor. She, on instructions, has submitted that the investigation is complete, challan has been presented. She has placed on record custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner has been arrested in this case on 02.05.2025. Custody certificate produced would show that the petitioner has completed incarceration of 03 months and 16 days as on 19.08.2025. Though she is involved in other cases, however she is on bail or probation in those cases. Investigation is complete and the challan has been presented.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned



counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

20.08.2025
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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No