

2025:PHHC:105104



207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42944-2025
Date of Decision: 13.08.2025

Ranjna ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Swaraj Sharma, Advocate
for the petitioner(s).

Ms. Simran Goria, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.116 dated 04.07.2025 under Sections 61-1-14 of the Excise Act and Sections 123/62 of BNS, 2023 registered at Police Station Sujampur, District Pathankot.

2. Succinctly, facts of the case are that on 04.07.2025, while the police party was on patrolling, saw a woman sitting on the top of a blue plastic can in the bushes. On seeing the police, she got perplexed and tried to escape, however, on suspicion she was stopped by the police. On asking, she disclosed her name Ranjana (petitioner). The police officials found the smell coming out of the can and thus, on suspicion the same was searched. The can was found to be containing 20 bottles i.e. 15 litres of illicit liquor. She failed to produce any licence regarding possession of the same. Hence, she was arrested on the spot and on registration of the FIR, the investigation commenced and the recovered liquor was sent to the FSL lab. The petitioner approached the Court of learned Sessions Judge,

Pathankot praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 19.07.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously roped in the present case. He submits that recovery as alleged to have been effected is totally a planted recovery. He further submits that the alleged recovery has been effected from a public place, but no independent witness has been joined. He further submits that the petitioner has been falsely implicated in three other cases, however, she is already on bail. It is submitted that recovery has also been effected and the petitioner is behind bars for the last more than one month. He, thus, submits that in view of the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He submits that the petitioner is a habitual offender and she is involved in three other cases for the offence of similar nature. He has submitted that recovery of 20 bottles i.e. 15,000 ML of illicit liquor was effected from the petitioner. He submits that the investigation is already under progress. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 04.07.2025. Investigation is already under progress. The custody certificate would reflect that the petitioner has suffered incarceration of 01 month & 07 days as on 12.08.2025. It further reflects that the petitioner is involved in two other cases, however, she is on bail on these cases.

6. 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. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Thus, keeping in view the arguments raised by both the sides, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. 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.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

13.08.2025
Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

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