

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

247

**CRM-M-67488-2025  
Decided on : 22.12.2025**

Parveen Kumari alias Veena

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

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Present : Mr. Manoj R.Sharma, Advocate  
for the petitioner.

Mr. Amritpal Singh Gill, DAG, Punjab  
for the respondent-State.

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**RUPINDERJIT CHAHAL, J (ORAL)**

1. Prayer in the present petition filed under Section 483 of the BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.108 dated 13.10.2025, registered under Sections 111, 123, 62 of BNS, 2023 and Section 61 of the Excise Act, 1914, at Police Station Shahpurkandi, District Pathankot.
2. Brief facts as per the prosecution case are that on 13.10.2025, Sub Inspector Amanpreet Kaur alongwith other police officials was on patrolling duty and on suspicion apprehended the petitioner who was found in conscious possession of 7500 ml of illicit liquor. Hence the present FIR.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and she has no concern with the said

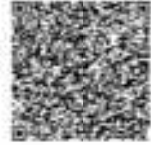


offence. He further contends that nothing more is to be recovered from the petitioner. He further submits that the story of prosecution is concocted and not even a single independent witness was joined during the alleged search. Learned counsel contends that if the petitioner is granted the benefit of bail, she will not misuse the same. The petitioner is behind bars since 13.10.2025. Learned counsel further submits that the investigation in the present case is still going on, as such, the trial will take a long time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the the status report as well as the custody certificate of the petitioner which are taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioners is serious in nature as she is indulged in the business of selling illicit liquor. He has further submitted that petitioner is involved in multiple other cases of similar nature meaning thereby she is a habitual offenders.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner had been in custody for 27 days, investigation is still going on and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining her in further custody. Her further detention without the prospect of the trial being concluded in the near future would be violative of her rights under Article 21 of the Constitution of India.

6. Reliance is placed upon in *Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131*, wherein, Hon'ble Apex Court



has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle “bail is a rule” and “jail is an exception”.

7. As regards the submission of learned State counsel that petitioners are involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

*"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."*

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

22.12.2025

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(**RUPINDERJIT CHAHAL**)  
JUDGE

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