

CRM-M-67259-2025

2025:PHHC:172155



235

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

CRM-M-67259-2025

Jagdeep Singh @ Jagdip Singh

....Petitioner

versus

State of Punjab

....Respondent

Date of decision: December 10, 2025

Date of Uploading: December 10, 2025

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Sukhdeep Singh, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.76 dated 09.09.2018, for the offence punishable under Section 420 of IPC and Section 61 of the Excise Act, 1914 (Sections 465, 467, 468, 471, 473 & 489 of IPC added later on), registered at Police Station Sadar Rajpura, District Patiala.

2. The gravamen of allegations against the petitioner is that on 09.09.2018 at about 12:30 PM, a secret informer separately informed that Jagdeep Singh (*petitioner herein*) and Parhlad Singh, who habitually bring liquor from outside the State without permit and sell it at higher rates in various districts of Punjab, were once again transporting such liquor. The

CRM-M-67259-2025

informer stated that they were travelling in truck-trailer No.UP-96-B-9544, driven by Jagdeep Singh (*petitioner herein*), with Parhlad Singh seated beside him. They had concealed a large quantity of liquor from outside the State underneath cartons of Real Juice and were approaching at high speed from the Rajpura side. To evade police checking, the liquor had been deliberately hidden beneath the juice boxes. Their actions were causing substantial loss to the Punjab Government treasury and misleading the general public. The informer added that if the vehicle was thoroughly checked, driver Jagdeep Singh (*petitioner herein*) and helper Parhlad Singh could be apprehended along with the concealed liquor loaded in truck-trailer No.UP-96-B-9544. The secret information was found to be reliable and credible. *Prima facie*, offences under Section 420 IPC and Section 61/1/14 of the Excise Act were made out against Jagdeep Singh (*petitioner herein*) and Parhlad Singh for cheating the police and excise authorities by concealing liquor purchased cheaply from outside the State and selling it without permit.

3. Learned counsel for the petitioner has argued that the petitioner was initially arrested on 09.09.2018 and thereafter, he was granted regular bail on 10.12.2018. Learned counsel has iterated that the petitioner continued to appear before the concerned trial Court, but was not able to appear on account of medical condition. Learned counsel has further argued that thereafter, the petitioner caused appearance before the trial Court on 06.09.2025 and is in continued custody since then. Thus, regular bail is prayed for.

CRM-M-67259-2025

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.12.2025 in the Court today, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. It is not in dispute before this Court that, initially, the petitioner was arrested on 09.09.2018 and thereafter, was granted concession of regular bail on 10.12.2018. It is further not in dispute that the petitioner continued to appear before the trial Court for sometime, but thereafter, absented himself. Further, the petitioner is stated to have appeared before the concerned trial Court on his own volition on 06.09.2025 and is in continued custody since then. Since the investigation in the case in hand is culminated and challan already stands presented, in the considered opinion of this Court, no useful purpose would be served by detaining the petitioner further into custody. The rival contention raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

CRM-M-67259-2025

6.1. As per custody certificate dated 10.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 06 months and 02 days & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

CRM-M-67259-2025

10. Nothing said hereinabove shall be construed as an expression of

opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

December 10, 2025
mahavir

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