

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:176561



108

CRM-M-72411-2025 (O&M)
Date of decision:22.12.2025

Love Maini @ Lovepreet @ Love

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner seeking benefit of anticipatory bail in case arising out of FIR No.119, dated 02.11.2025, registered under Sections 61, 68, 1 and 14 of the Punjab Excise Act, at Police Station Mehtiana, District Hoshiarpur.

2. As per the allegations, on 02.11.2025, a barricade was laid outside Police Station Mehtiana, Hoshiarpur and checking of vehicles was being conducted, when a tempo reached there. On noticing the police officials, the tempo driver took reverse turn and tried to flee. The vehicle was chased and the accused Mohit, Brijesh and Jaspreet Singh, who were occupants of the same, were apprehended. On checking, 108 boxes of liquor of different make were recovered from the vehicle. The occupants failed to show any license or permit for the same. They were formally arrested. They

disclosed that the recovered liquor belonged to the petitioner and he was going ahead of them in a verna vehicle. The petitioner had managed to flee. He was nominated as an accused. Apprehending his arrest, petitioner moved an application seeking pre-arrest bail, which has been dismissed by the Court of learned Additional Sessions Judge, Hoshiarpur vide order dated 06.12.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of statement recorded by co-accused Mohit, who is having inimical relations with the petitioner. He has no concern with the recovered liquor. He does not own any verna car. He has already moved an application for conducting fair inquiry in the matter. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, thus, argued that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. It is submitted by her that there are specific and serious allegations against the petitioner. For conducting thorough investigation in the matter, his custodial interrogation is must. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to be the person, on whose behest huge quantity of liquor was brought in to the State of Punjab in an illegal manner by the co-accused. For the purpose of eliciting information as to the source

from which the liquor was brought and the manner in which the crime was committed, thorough and proper investigation is required to be conducted. The case is at its nascent stage. The petitioner has failed to make out any case for showing that there is any exceptional or extraordinary circumstance for grant of pre-arrest bail in his favour. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation.

8. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner.

9. Accordingly, the petition is dismissed.

10. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

11. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

22.12.2025

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE