



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CRM-M-6533-2026

Date of Decision : 05.02.2026

PARAMJIT SINGH ALIAS PAMMA

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Rahi Mehra, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. This petition for grant of anticipatory bail under Section 482 BNSS, has been filed by petitioner, an accused in case bearing FIR No.227 dated 24.12.2024, registered against him at Police Station Sadar Tarn Taran, District Tarn Taran, for the commission of offences punishable u/s 61 of The Punjab Excise Act, 1914.

2. Relevant facts as can be inferred from the documents on record are noticed hereinbelow:-

On 24.12.2024, Police team headed by ASI Rajinder Kumar were on patrolling duty. When they reached at the turn of Village Chutala near Highway Bridge, Village Aladinpur, they saw a person coming on his scooter from the side of village Chutala, who on seeing the police party became perplexed and tried to take a U-turn, but the scooter slipped and he fell down. Despite best efforts made



*by the police officials, they were not able to apprehend him as darkness had set in, thus, he was successful in fleeing away. Police officials were, however, able to identify him as **Paramjit Singh @ Pamma (present petitioner)**, s/o Parkash Singh as several other cases under The Excise Act were registered against him and he was well known in the area for distilling and selling illicit liquor. The scooter which was left behind by Paramjit Singh (P) was also checked, from where 40 bottles containing 30,000 ML of illicit liquor were recovered, which were taken into possession.*

3. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail. The same was dismissed by the learned Principal District & Sessions Judge, Tarn Taran, in terms of order dated 28.01.2026. Aggrieved of which, the present petition has been filed.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The incident as alleged in the FIR did not occur at all. In fact, according to learned counsel, local police officials are running an extortion racket and are falsely implicating the innocent young persons. It is further the submission of learned counsel that petitioner was not even aware of the pendency of the present case. He came to know of the same only when the police officials of Police Station Sadar Tarn Taran produced the record of present case before the Court, during hearing of another bail application arising out of FIR No.263/2025. In the said FIR, petitioner was granted the concession of interim anticipatory bail. It is further the submission of learned counsel that if there had been an *iota* of truth in the allegations levelled in the present FIR, there is no reason forthcoming as to why police did not arrest him while he was in police custody in another case bearing FIR No.94/2025. Thus, conduct of the



local police officials itself raises doubt on the genuineness of the story put forth in present case. Even otherwise, the story as portrayed in the FIR does not appeal to common sense, as it looks highly improbable that a person, who was surrounded by many police officials, managed to run away. Though custodial interrogation of petitioner is not needed as nothing is to recovered from his possession, but nonetheless, he is still ready and willing to join the investigations as and when called for by the Investigating Officer.

5. *Per contra*, learned State counsel has vehemently opposed the request for grant of pre-arrest bail on the ground that petitioner is a habitual of distilling and selling illicit liquor and is well known in the area for his illegal activities. His contention that since the police officials did not arrest him, while he was in custody in another case bearing FIR No.94/2025 registered against him under the Excise Act, the same proves his innocence, deserves not to be taken note of, for he cannot be allowed to take benefit of any lapse on the part of the IO. Further, simply because the police officials were not able to catch him at the site at the relevant time cannot also be a ground to draw the presumption of innocence in his favour. It is further the submission of learned State counsel that custodial interrogation of the petitioner, who is involved in several other cases of like nature, is needed to find out as to who all are involved in this racket, how are they operating and their *modus operandi* etc. Further, illicit liquor ('hooch') poses a serious threat to the life of unsuspecting innocent persons who consume the same. With these submissions, he prays for dismissal of the present petition.

6. I have heard learned counsel for the parties and perused the documents available on record.

7. Before expressing any opinion on the submissions raised by learned



counsel of the parties, it would be appropriate to refer to certain judgments of Hon'ble Supreme Court, wherein the factors to be kept in mind while dealing with an application for grant of anticipatory bail, have been discussed.

Hon'ble the Supreme Court in **"P. Chidambaram vs. Directorate of Enforcement, ((2020) 13 SCC 791)**, has observed as under:-

"67. Ordinarily, arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. Power under Section 438 Cr.P.C 1973 is an extraordinary power and the same has to be exercised sparingly. The privilege of the pre-arrest bail should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after application of mind as to the nature and gravity of the accusation; possibility of applicant fleeing justice and other factors to decide whether it is a fit case for grant of anticipatory bail. Grant of anticipatory bail to some extent interferes in the sphere of investigation of an offence and hence, the court must be circumspect while exercising such power for grant of anticipatory bail. Anticipatory bail is not to be granted as a matter of rule and it has to be granted only when the court is convinced that exceptional circumstances exist to resort to that extraordinary remedy."

In **"Nikita Jagganath Shetty @ Nikita Vishwajeet Jadhav vs. The State of Maharashtra and another"** (2025 AIR SC 3375), the Hon'ble Supreme Court held that *"Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner."*

Factual aspects leading to the lodging of the FIR have already been noticed in para 2 of this order. While dismissing the bail application of the petitioner, learned Principal District & Sessions Judge, Tarn Taran made following observations:-

"7. As such, the Court is of the opinion that granting pre-arrest bail to the present applicant-accused would rather be giving reward to applicant-



accused for escaping from the spot. It is further observed that despite numerous life threatening incidents in the past causing deaths of innocent persons, such offenders have not mend their ways, thereby, creating danger to the lives of fellow citizens. Being a border District, Tarn Taran is quite prone to the cross border smuggling of illicit liquor for exchange of Arms and Narcotic substances. Recently also such easy availability of hooch lead to consumption by innocent citizens in the neighboring district which lead to death of more than 25 persons. From the past record of the applicant, this Court do not find any reasonable grounds for believing that accused is not guilty of such offence.”

In view of the submissions advanced by learned State counsel and agreeing with the reasons assigned by the learned Principal District & Sessions Judge, Tarn Taran, this Court is also of the opinion that petitioner has failed to make out a case of exceptional depravity/hardship in his favour, entitling him for the grant of this extra ordinary relief of pre-arrest bail.

Accordingly, the present petition stands dismissed.

(AARADHNA SAWHNEY)
JUDGE

05.02.2026
Nisha Yadav

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>