

2026:PHHC:079787



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-22590-2026

Date of decision: 20th May, 2026

Girish Kumar Sindhi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kunal Dawar, Senior Advocate with
Mr. Shashikant Singh, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 101 dated 17.02.2026 registered under Sections 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and 61(1)(a) of Excise Act (Sections 336(2) and 340 of BNS added later on) at Police Station Kherki Daula, District Gurugram.

2. The aforementioned FIR was registered on the allegations that on 12.11.2025, while doing routine checking in the liquor vend of M/s Vintage Wine situated at Shikohpur, 28 boxes of country made liquor brand Santra were recovered. 1400 quarter bottles were found kept in the same. The holograms over the same appeared to be suspicious. 09 such holograms had

2026.PHHC.079787



been sent for the purpose of verification and were found to be forged once.

3. After registration of the FIR, investigation proceedings were initiated. The accused Sonu, who was the proprietor of Vintage Wine, was arrested. On interrogation, he suffered disclosure statements to the effect that the petitioner, who was operating a liquor vend in the name of Scotch Tap Liquor, had offered supply of liquor at cheaper rates and that the recovered liquor had been sent by the petitioner to him. The petitioner was nominated as an accused and was arrested on 25.03.2026. He suffered disclosure statement admitting his involvement in the crime and also took the names of two more persons namely Mahesh Kumar and Pawan, who were engaged in supply along with him. The above-named Mahesh Kumar was subsequently arrested. The call detail records of accused Mahesh Kumar, Sonu and the present petitioner had been collected which showed that they were in active contact with each other. Investigation is still pending as one of the persons named as Pawan, is still at large.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement of the co-accused, which cannot be considered to be admissible in evidence. He had no concern with the Scotch Tap Liquor vend. He is a small time worker. He had no hand in the commission of the subject offences, which are triable by Magistrate. The investigation and trial will take considerable time. He is not required for further investigation. No useful purpose would be served by detaining him in custody anymore. His involvement in another case cannot be

2026.PHHC.079787



considered to be a reason for denying the benefit of bail to him. It is, thus, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel while relying upon the status report, has vehemently argued that the allegations against the petitioner are quite serious in nature as he acted as an intermediary in the illegal liquor trade by procuring liquor bearing fake holograms from the supplier Mahesh Kumar and had sold 28 boxes of the same to co-accused Sonu. He was an active coordinator in the entire network engaged in the supply of illicit liquor. There are chances of his committing similar offences or absconding, if extended the benefit of bail. It is, therefore, argued that he does not deserve to be extended the benefit of bail.

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

7. The petitioner is alleged to have acted as an intermediary in supplying of 1400 quarter bottles of liquor which were having fake and fabricated holograms over them. Though the allegations make out a *prima facie* case for commission of the subject offences against him, however, he has been in custody since 25.03.2026. Investigation qua him stands concluded and his custodial interrogation is not required. The offences allegedly committed by him are triable by Magistrate. The continued detention of the petitioner is not going to serve any purpose. It is a well-settled proposition of law that pre-trial incarceration should not be a replica of post-conviction

2026:PHHC:079787



sentencing. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. In view of the discussion made above, this Court is of the considered opinion that the petitioner has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

20th May, 2026
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No