

2026:PHHC:078802



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

232

CRM-M-27245-2026

Date of decision: 19th May, 2026

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amandeep Sharma, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

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. 65 dated 24.06.2025 registered under Section 61 of Punjab Excise Act, 2014, Sections 123 and 62 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Bhindi Saidan, Police District Amritsar Rural, District Amritsar.

2. As per the allegations, on 24.06.2025, on receipt of a secret information to the effect that the petitioner along with co-accused Dilbagh Singh, Onkar Singh, and Bau Singh was engaged in the business of sale of illicit liquor and could be apprehended with a huge quantity of the same, if a raid was conducted, a raiding party was formed, which reached at the informed place. Four persons who were present there, managed to flee. 10,000 litres of *laahan* and 100 bottles of illicit liquor were recovered, which were

2026.PHHC.078802



taken into possession. The petitioner was arrested on 17.02.2026.

Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A false recovery has already been planted upon him. He is not required for further investigation. He is not required for further investigation. Trial will take considerable time to conclude. No useful purpose would be served by detaining him in custody anymore. It is, therefore, 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. While placing on record custody certificate of the petitioner, it is argued by him that the petitioner is a habitual offender, being involved in several other cases of similar nature. There are chances of his committing similar offences again, if extended the benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

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 been found to be in conscious possession of a huge quantity of illicit liquor. The allegations make out a *prima facie* case for commission of the subject offences against him. However, he has remained in custody for a period of over 03 months. The investigation has been concluded. There are no chances of conclusion of the trial in the near future, as even charges have not been framed. The

2026.PHHC.078802



involvement of the petitioner in other cases cannot be considered to be a reason for denying the benefit of bail to him. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence and that bail is the rule and jail is an exception. 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 no useful purpose would be served by keeping the petitioner in custody anymore and he 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

19th May, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |