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

**CRM-M No.29579 of 2026
Date of Decision: 27.05.2026**

Anmol Saini @ Moli

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Naresh Kumar Jandoli, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.38, dated 17.02.2023, under Sections 61/1/14 of Excise Act, registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. Succinctly, the facts of the case are that the police party was on patrolling on 17.02.2023 and when they reached slightly ahead of Mohalla Eesh Nagar near Community Kitchen, they saw a clean shaven person was seen coming on foot carrying a heavy plastic sack on his head. On seeing the police, he got perplexed and threw the heavy plastic sack on the ground and started running towards the road side on his left hand, however, on suspicion, he was apprehended by the police



party. On asking, he disclosed his name to be Nivas Kumar. He was suspected to be carrying some contraband in the plastic sack having thrown by him and thus, search of the same was conducted. On conducting the search of the plastic sack, 24 bottles of liquor brand Punjab Club Whisky, each measuring 750 ml, were recovered. He failed to produce any licence regarding the conscious possession of the same and thus, the FIR was registered and he was arrested on the spot. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Anmol Saini @ Moli, surfaced and thus, he was arrayed as an accused in the present case. Bailable warrants were issued against the petitioner vide order dated 17.01.2024 by the trial Court concerned and thereafter, non bailable warrants were issued against the petitioner on 20.05.2024 and ultimately, vide order dated 16.11.2024, proclamation proceedings were initiated against him. The petitioner surrendered before the learned trial Court and moved an application for bail, which was allowed by the learned trial Court vide order dated 07.01.2025. Thereafter, due to his non appearance, his bail was cancelled and he was declared as proclaimed offender vide order dated 27.03.2026. The petitioner again moved an application for bail before the learned trial Court, however the same was dismissed vide order dated 02.01.2026. Resultantly, the petitioner was arrested on 21.04.2026. The petitioner approached the Court of learned Additional Chief Judicial Magistrate, Hoshiarpur praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Chief Judicial



Magistrate, Hoshiarpur declined the bail application filed by the petitioner vide order dated 28.04.2026. Hence being aggrieved, the petitioner is before this Court praying for the grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has submitted that the recovery of liquor was effected from the co-accused of the petitioner and he was implicated in the present case only on the basis of disclosure statement of co-accused, which in itself is not even an admissible evidence. He has submitted that the learned trial Court had enlarged the petitioner on bail vide order dated 07.01.2025, however, as the petitioner remained absent before the learned trial Court, he was declared as proclaimed offender vide order dated 27.03.2026 and thereafter, he has been arrested on 21.04.2026 and since then, he is behind bars. He has submitted that though the petitioner is involved in 06 other cases, however, he is on bail in all those cases. He has submitted that the investigation is complete and the charges have also been framed. He has submitted that in the facts and circumstances, the petitioner deserves to be granted regular bail.

4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is a habitual offender, who is involved in 06 other cases. He has submitted that the petitioner has misused the concession of bail granted to him by the learned trial Court and thus, has declared him proclaimed offender vide order dated 27.03.2026. He has



submitted that thereafter, the petitioner was arrested on 21.04.2026. He has submitted that the investigation is complete and the charges have been framed. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the recovery of the liquor was from the co-accused. The petitioner was arrayed as an accused in the present case on the basis of disclosure statement of co-accused. It is not out of place to mention that the petitioner was enlarged on bail by the learned trial Court, hence, he was declared as proclaimed offender and thus, was arrested later on. Investigation stands complete and charges have been framed, however, no prosecution witness has been examined till date. Custody certificate produced would show that the petitioner has suffered an incarceration of 01 month and 05 days as on 26.05.2026. It further reflects that the petitioner is involved in 06 other cases, however, in 5 of the cases, he is on bail.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the medical report of the petitioner, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the



petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail, on account of his medical condition, on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

27.05.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No