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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.57522 of 2025
Date of Decision: 17.02.2026

Nishant Rana ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Dushyant Rana, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
327	09.11.2023	Barara, District Ambala	304, 328 and 120-B of IPC (302 of IPC and 72-A of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) added later on)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Mool Chand on 09.11.2023 alleging therein that about 15 days back, his son Shivam @

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Lokesh had come from his native village to Ambala in search of work and informed that he along with his friend Deepak Singh had started working with accused Ankit @ Mogli who was indulged in the business of liquor. On that day, he received information that his son and Deepak Singh had died due to consumption of liquor and during the course of their treatment. He had come to the hospital and came to know that the death had occurred due to consumption of spurious/poisonous liquor which was manufactured by accused Ankit in illegal manner by installing a factory at Village Dhanaura. After registration of FIR, investigation proceedings were initiated. The complainant recorded his supplementary statement on 11.11.2023 on the basis of which five more persons were named as accused. A Special Investigation Team was established. The accused Shekhar, Parveen Kumar, Uttam Singh and Puneet were joined into investigation and suffered disclosure statements admitting their involvement in the crime. The accused Ankit @ Mogli was confined in jail in connection with some other case and was joined into investigation of this case on 15.12.2023. He suffered disclosure statement admitting his involvement in the crime and disclosed the names of the petitioner and co-accused Yuvraj Singh @ Mannu, Uttam Singh, Kapil Pandit, Gaurav and Pardeep. The petitioner was nominated as such. He was confined in jail in connection with some other case and was joined into investigation of this case on 29.01.2024. He suffered disclosure statement to the effect that he used to supply poisonous liquor by taking it from the factory of accused Ankit. Investigation now stands completed.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 29.01.2024. The trial will take considerable time to conclude as none out of 69 witnesses has been examined so far. There is no material on record to connect him for commission of offences punishable under Section 302 of IPC. The co-accused Yuvraj Singh whose case is on similar footing has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Haryana has argued that the allegations against the petitioner are serious in nature. He is involved in similar other cases. There are chances of his absconding or committing similar offences, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner was nominated in this case on the basis of disclosure statement of co-accused Ankit @ Mogli. The role that has been attributed to him is of supplying liquor from the factory of the accused Ankit @ Mogli to other places. No specific overt act has, however, been attributed to him. No recovery has been effected from him. He is in custody since 29.01.2024. There are no chances of conclusion of trial in near future as out of 69, not even a single witness has been examined so far. Similarly situated co-accused Yuvraj Singh has been extended benefit of bail. It is well settled proposition of law that prolonged incarceration generally militates against

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the most precious fundamental right guaranteed under Article 21 of the Constitution. Taking into consideration the role attributed to the petitioner in the crime, the period spent by him in custody, the fact that the trial is not likely to be concluded in short time and the attendant facts and circumstances, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

17.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No