



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

208/2

CRM-M-63178-2025 (O&M)

Date of decision : 12.02.2026

Johny

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (Oral)

1. This is first petition for pre-arrest bail filed by the petitioner with regard to FIR No.252 dated 08.10.2025 under Section 61 of The Punjab Excise Act 1914, Police Station Division No.7, Ludhiana-Police Commissionerate. The abovementioned FIR came into being when on the basis of a tip-off given by a reliable source to ASI Balwinder Singh, from the residence of accused Johni, huge quantity of liquor, kept without permit or licence, was recovered.

2. It is the case of the prosecution that for being in possession of such a heavy quantity of liquor, the owner of the house could not produce any licence or permit and, therefore, the abovementioned FIR has been registered.

3. Heard.



4. It has been contended by learned counsel for the petitioner that vide order dated 11.11.2025 notice of motion was issued and the petitioner is ready to join the investigation and his custodial interrogation is not required.

6. *Per Contra*, the learned State Counsel has submitted that huge quantity of liquor has been recovered in the present case and in order to trace out the source from where such a huge quantity of liquor was purchased by the petitioner, his custodial interrogation is required.

7. The record has been perused carefully.

8. A perusal of the record shows that there are several factors which are required to be taken into consideration at this stage. Those factors are:-

- i. that the offence is triable by the Court of Judicial Magistrate;
- ii. that the maximum punishment prescribed for the abovementioned offence is imprisonment up to three years
- iii. that the recovery of alleged liquor has already taken place;
- iv. that nothing is left to be recovered from the possession of petitioner;
- v. that in order to trace out the source of supply of abovementioned liquor other methods can be adopted such as with the help of batch number the enquiries can be made from the manufacturer, and can be ascertained to whom the abovementioned liquor was supplied by the manufacturer;
- vi. that the petitioner has no criminal antecedents;
- vii. that custodial interrogation of the petitioner is not likely to produce a fruitful result;

viii.that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and

ix. that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

9. Taking into consideration the cumulative effect of all the abovementioned factors, it is hereby held that the petitioner is entitled for anticipatory bail.

10. In view of the abovementioned discussion, it is hereby held that the present petition deserves to be allowed. Hence, the same is hereby *allowed*, and the petitioner is accorded the benefit of anticipatory bail. It is hereby directed that in the event of his arrest, the petitioner shall be released on bail on furnishing bonds to the satisfaction of arresting officer. The petitioner shall join the investigation as and when called by the Investigating Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(SURYA PARTAP SINGH)
JUDGE

12.02.2026
Vinod

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No