



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

141+206

CRM-M-31887-2025 (O&M)

Decided on : 23.06.2025

Joginder Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**PRESENT:** Mr. R.P.S. Jammu, Advocate
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)**CRM-24249-2025**

I. This is an application filed u/s 528 of BNSS, 2023, for granting the permission to amend the petition.

II. Notice of this application.

III. Mr. Manjinder S. Bhullar, DAG, Punjab, who is present in Court, accepts notice on behalf of the non-applicant/respondent State and pleads no objection to the prayer made in the application.

IV. In view of the averments made in the application, prayer made there in Allowed. Amended petition filed along with application is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

V. CRM stands disposed of.

CRM-M-31887-2025

1. The instant petition has been filed under Section 483 of BNSS,



2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Joginder Singh	59	30.04.2025	61 of the Excise Act, 1914	Nihal Singh Wala	Moga

2. Counsel for the petitioner submits that recovery from the petitioner is of 350 litres of Lahan (premature form of liquor) from the house of the petitioner and he was arrested on the spot. Counsel further argues that petitioner is inside jail since 30th April, 2025, i.e., from the date of registration of FIR and the recovery of required material, i.e., Lahan. Besides, the trial, which is magisterial is not likely to conclude in the near future, therefore, he cannot be kept inside jail for indefinite period.

Thus, counsel prays for grant of concession of regular bail to the petitioner.

3. *Per contra*, learned State counsel argues that the recovery has been effected from the house of the petitioner and he was arrested on the spot. Therefore, it cannot be argued that he has been involved in a false case. He further informs that investigation has already been completed, however, process of recording of statement of the witnesses, is yet to start.

4. Heard.

5. Taking into consideration all the circumstances, as argued by the respective counsel for the parties and recorded here-above, this Court deems it appropriate that since the petitioner has to face a magisterial trial and the recovery of 350 litres of 'Lahan' has already been effected, any further incarceration of the petitioner would serve no useful purpose.



Therefore, this Court deems it appropriate to consider the petitioner's prayer for grant of regular bail.

6. Consequently, without making any comments over the merits of the case, the prayer for bail of the petitioners is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

June 23, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No