

CRM-31948-2025 in/and
CRA-S No.2502 of 2025

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

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**CRM-31948-2025 in/and
CRA-S No.2502 of 2025
Date of decision: 23.01.2026**

Beeru Shaini alias Veeru Saini alias
Veeru Baba

... Appellant

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vinay Singh Rathee, Advocate,
for the applicant-appellant.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

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For the reasons mentioned in the application, the same is allowed and the delay of 234 days in filing the present appeal is condoned.

Main Case

1. The instant appeal has been filed by the appellant under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*for short 'the SC/ST Act'*) seeking challenge to the order dated 22.10.2024 as passed by the Court of learned Additional

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Sessions Judge, Sangrur in case arising out of FIR No.44 dated 22.03.2024 registered under Sections 302, 328, 465, 468, 469, 471, 201 and 120-B of IPC, Sections 61 and 61A of Punjab Excise Act, 1914 and Section 3 (2) (v) of *SC/ST Act* at Police Station City Sunam, District Sangrur, whereby an application for grant of regular bail as filed by the appellant had been dismissed.

2. Brief facts of the case relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of complaint submitted by the complainant Harmesh Singh alleging that the accused Mangal Singh used to sell illicit liquor after purchasing it from Gurlal Singh alias Gifty, Tarsem Singh alias Shanty, Harmanpreet Singh alias Harman, Soma Kaur and Sanju and the other co-accused in his village. He had been confronted by the villagers but proclaimed that he would continue doing the same. On 21.03.2024, his father Budh Singh along with some other co-villagers had brought liquor from Mangal Singh and had consumed the same. In the next morning, he was found suffering from severe pain in his abdomen and told the complainant that his eye sight has also been affected. He was rushed to hospital but had died. Two more villagers were found to have died due to consumption of spurious liquor at the same time. By alleging that the above named along with the suppliers of spurious liquor were responsible for the deaths, he prayed for taking action. On the basis of the above complaint, FIR was

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registered. Investigation proceedings were initiated. The postmortem examination of dead body of victims were conducted. The report of viscera contents of dead body of the father of the complainant showed that the death had occurred due to consumption of methyle alcohol poison which was sufficient to cause death in the ordinary course of nature. The accused Mangal Singh was arrested on 24.03.2024 and on his statement, his father Channa Ram was nominated as such. On interrogation, Channa Ram disclosed that on 20.03.2024, the appellant had brought 46 bottles of liquor branded Sahi Haryana from the accused Soma Kaur and he (Channa Ram) had purchased the same. Thirteen out of these bottles were sold to the victim and other persons. The appellant was arrested on 02.04.2024. Offence under Section 3 (2) (v) of SC/ST Act was added since the victim Budh Singh belonged to SC category. The appellant moved an application for grant of regular bail which has been dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 22.10.2024.

3. It is argued by learned counsel for the appellant that the impugned order dated 22.10.2024 is not sustainable in the eyes of law. He was not named in the FIR and has been nominated on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. There is delay of one day in lodging of the FIR which has not been explained. He is in custody since long. No recovery

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has been effected from him. The trial will take considerable time to conclude. The co-accused Manish Aggarwal and Amit Kumar Tewari have been extended benefit of bail. His further incarceration will not serve any useful purpose. By passing the order dated 22.10.2024, the learned trial Court did not take into consideration the above discussed facts. It is, thus, urged that the impugned order is liable to be set aside, the appeal deserves to be accepted and that he deserves to be extended benefit of bail.

4. Per contra, learned Assistant Advocate General, Punjab has argued that there is no illegality or infirmity in the impugned order which is well reasoned order. The appellant was actively involved in the sale of spurious liquor and it was the liquor purchased by him from co-accused Soma Kaur and sold to Mangal Singh and Channa Ram consumption of which led to death of not only the father of the complainant but nine other persons and due to which several other persons had fallen seriously ill. The trial is going on at a proper pace as ten witnesses already stand examined. There is nothing to show that there would be any undue delay in conclusion of the trial. The appellant has criminal antecedents. As per the status report, he being involved in one case under Excise Act and one case under the provisions of IPC. There are chances of his committing similar offences, if extended benefit of bail. Accordingly, it is stressed that the appeal does not deserve to be allowed.

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5. This Court has considered the rival submissions.

6. The appellant along with the co-accused is alleged to have been engaged in the business of supplying spurious liquor. As on 20.03.2024, he had purchased 46 bottles of liquor from co-accused Soma Kaur and had sold the same to co-accused Mangal Singh and Channa Ram which has further been sold by these persons to the victims and resulted in their death. The allegations against the appellant are serious in nature. He is shown to have played a significant role in supply of spurious and poisonous liquor which has caused death of several innocent persons. Gravity of offences is also required to be taken into consideration while deciding plea for release of an accused on bail. The trial is going on in a proper manner and it is not revealed from the record that there would be any undue delay in conclusion of the same. So far as his claim that provisions of Section 3 (2) (v) of SC//ST Act are not attracted, the same is liable to be rejected, taking into consideration the fact that as per this provision, any person who commits any offence under the provisions of Indian Penal Code punishable with imprisonment for a term of ten years or more against a person of Scheduled Caste community, is liable for punishment and one of the victim in this case was a person of Scheduled Caste community. As such, the aforementioned provision is fully attracted and the argument raised to that extent is also liable to be rejected.

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7. Taking into consideration the nature of the allegations levelled against the appellant, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits thereof, this Court is of the considered opinion that no ground has been made out for allowing the appeal. Accordingly, the same is dismissed.

(MANISHA BATRA)
JUDGE

23.01.2026

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No