

**IN THE COURT OF RAVI GULATI, ADDITIONAL SESSIONS
JUDGE GURDASPUR (VACATION JUDGE)**

CIS No: BA-2466-2025

CNR No: PBGD010056652025

Date of Order:21.06.2025

Parveen Kumari wife of Rajiv Kumar @ Lucky, r/o village Bariar,
P.S. Dinanagar, Tehsil and District Gurdaspur.

.....Accused/Applicant.

Versus

State of Punjab

.....Respondent.

FIR No. 110 dated 18.05.2025

**Under Sections 61 of Punjab Excise Act & 78 (2)/123/62 BNS
Police Station Dinanagar.**

First Bail application under Section 483 BNSS

Present: Sh. Bhuvnesh Mahajan Advocate, counsel for
accused/applicant.
Sh. Tejinder Pal, APP for State.

ORDER

File put up before me being Vacation Judge. Present bail application has been filed by accused/applicant Parveen Kumari wife of Rajiv Kumar @ Lucky seeking regular bail u/s 483 of BNSS. Rajiv Kumar who is stated to be husband of accused/applicant has furnished his affidavit to the effect that this is the first bail application filed on behalf of the accused/applicant filed u/s 483 of BNSS. As per report of the Ahlmad also, no other bail application of the accused/applicant is pending by any other court in this FIR.

2. Upon notice, learned APP for the State put in appearance and contested the bail application. Police record was requisitioned

and perused. ASI Amrik Singh No.9118/BTL, P.S. Dinanagar has appeared along with the record and suffered statement that no other bail application of accused/applicant is pending in any court and no offence has been added and deleted in present FIR. He further stated that 30 bottles of illicit/spurious liquor were recovered in this case from the possession of accused/applicant and she is involved in 7 other cases under Excise Act.

3. Learned counsel for the accused/applicant stated that accused/applicant is innocent and he has been falsely implicated in the present case and recovery so projected is false. He further argued that no illicit/spurious liquor was ever recovered from the possession of accused/applicant and he is in custody since 18.05.2025. Therefore, he prayed that accused/applicant be granted regular bail.

4. On the other hand, learned APP for the State argued that the accused/applicant is not entitled to concession of bail because she was found in possession of 30 bottles of illicit/spurious liquor and she is in the business of sale of illicit/spurious liquor endangering the human life. He also pointed out that accused/applicant was involved in 7 other cases under Excise Act and even in some cases, she was released on probation but in spite of same, she again started indulging in the business of illicit liquor. He also submitted that there have been instances of loss of life and limb due to consumption

spurious liquor recently and accused/applicant is not entitled to concession of bail. Thus he prayed for dismissal of bail application.

5. After hearing both the sides and after going through the record, this court finds that the present FIR was registered against present accused/applicant Parveen Kumari on 18.05.2025 at P.S. Dinanagar upon receiving secret information that she was indulging in sale of illicit/spurious liquor and could be apprehended with the same. Thus, the police party conducted raid at the disclosed place where accused/applicant was found in possession of illicit/spurious liquor, which upon measurement came out to be 30 bottles of 750 ml each. She was accordingly arrested.

6. In the backdrop of these facts, this Court finds that there are serious allegations against the accused/applicant and there is recovery of 30 bottles of illicit/spurious liquor from the possession of accused/applicant. It is not disputed that she was also involved in 7 other cases under Excise Act out of which he was also released on probation of good conduct in some cases while as per the counsel for the accused/applicant, she was acquitted in 4 cases. The fact that she was released on probation on good conduct in some cases has not been disputed by learned counsel for the accused/applicant. Therefore, it appears that accused/applicant is habitual offender and is dealing in the business and sale of illicit liquor. This Court cannot

lose sight of the fact that in the recent past, there have been various instances of loss of life and limb due to consumption of spurious liquor. Section 123 BNS has also been invoked in this FIR. Therefore, considering the aforesaid facts and recovery of huge quantity of illicit/spurious liquor which can be dangerous to human life, this Court is of the opinion that accused/applicant is not entitled to concession of bail at this stage. If granted bail, there is likelihood that she may again indulge in the business sale of illicit/spurious liquor, putting human life in danger. Therefore, the present bail application is hereby dismissed. However observations made herein shall have no effect on the merits of the case. Police record be returned. File be consigned to Record Room.

Pronounced
Dated:21.06.2025
Seema Shahria Stenographer-II

(Ravi Gulati)
Additional Sessions Judge, Gurdaspur
(Vacation Judge) (UID No.PB0242)

CNR No: PBGD010056652025

CIS No: BA-2466-2025

Present: Sh. Bhuvnesh Mahajan Advocate, counsel for
accused/applicant.
Sh. Tejinder Pal, APP for State.

File put up before me being Vacation Judge. Police record
produced and perused. Arguments heard. Vide my separate detailed
order of even date, the present bail application has been dismissed.
Police record be returned. File be consigned to Record Room.

Pronounced

Dated:21.06.2025

Seema Shahria Stenographer-II

(Ravi Gulati)

Additional Sessions Judge, Gurdaspur
(Vacation Judge) (UID No.PB0242)