

**IN THE COURT OF AJAY TEWATIA, SESSIONS JUDGE,
ROHTAK (UID No.HR0074)**

CIS No.BA-1424-2026
CNR No. HRRH01-006895-2026
Bail Application No.251 of 2026
Date of Institution: 17.07.2026
Date of Decision: 24.07.2026

Sumit son of Ombir resident of village Ritoli, District Rohtak.

----Applicant-Petitioner.

Versus

State of Haryana.

----Respondent.

Application for anticipatory bail

Present: Mr. Sumit Siwach, counsel for applicant-petitioner.
Mr. Surender Pahwa, Public Prosecutor for the State.

ORDER:-

Apprehending his arrest, applicant-petitioner Sumit has moved this application for anticipatory bail in case arising out of FIR No. 269 dated 10.07.2026 registered at Police Station Shivaji Colony, Rohtak under Sections 318(4), 336(3), 338, 340, 61, 3(5) BNS and Sections 61, 61(1)(C), 24A of the Haryana Excise Act, 2020.

2. The prosecution case is that acting on secret information, the

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police, after obtaining due search permission and associating the Excise Department, conducted a raid at a rented premises situated in Indra Colony, Rohtak. During the raid, a huge quantity of spurious country liquor, fake holograms, fake Track & Trace strips, fake labels, packaging material, spirit, chemicals, orange essence, urea, sealing machines, empty pouches, cardboard boxes and other articles used for manufacturing and packing illicit liquor were recovered. The Excise Inspector verified that the holograms, wrappers, Track & Trace strips and other material were counterfeit and not authorized by the Government. The investigation further revealed that the petitioner, alongwith co-accused Naveen, was running the illegal factory under the guise of an RO water plant for manufacturing and supplying spurious liquor. The petitioner could not be apprehended during the raid and has allegedly absconded since the registration of the FIR.

3. State has filed reply opposing the bail application.

4. I have heard Mr.Sumit Siwach, counsel for the petitioner and Mr.Surender Pahwa, Public Prosecutor.

5. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case. It is argued that the petitioner was not present at the spot when the raid was conducted. It is further submitted that the prosecution case rests mainly upon police officials and there is no independent public witness supporting the

allegations. It is further argued that the petitioner is ready and willing to join investigation and cooperate with the Investigating Agency. It is contended that no purpose would be served by arresting the petitioner and that custodial interrogation is unnecessary. It is prayed that the petitioner be granted anticipatory bail subject to any condition deemed fit by the Court.

6. Learned Public Prosecutor has opposed the prayer for anticipatory bail. It is submitted that the petitioner is specifically named in the FIR and has been attributed an active role in running an illegal factory manufacturing and packing counterfeit liquor under the guise of an RO water plant. It is argued that an enormous quantity of spurious liquor, spirit, chemicals, urea, fake holograms, fake Track & Trace strips, fake labels, packing material, sealing machines and other incriminating articles has been recovered during the raid. The Excise Department has confirmed that the recovered holograms and labels are counterfeit and unauthorized. It is further submitted that despite repeated efforts, the petitioner could not be apprehended and has deliberately evaded arrest. The investigation is at a crucial stage and custodial interrogation of the petitioner is indispensable to identify the source of chemicals and counterfeit holograms, trace the manufacturing machinery, ascertain the distribution network, identify transport vehicles, recover further incriminating material and apprehend other members of the racket. Accordingly,

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dismissal of the application is prayed for.

7. The petitioner is specifically named in the FIR and has been attributed an active role in manufacturing, packing and supplying spurious liquor by using counterfeit holograms, fake Track & Trace strips, fake labels and other forged excise material. The recovery effected during the raid is of an exceptionally large quantity and includes spirit, chemicals, urea, liquor pouches, fake packaging material, sealing machines and equipment allegedly used in the commission of the offence. The Excise Department has also opined that the recovered holograms and Track & Trace strips are fake and unauthorized. The material available on record prima facie indicates the existence of an organized illegal liquor manufacturing and distribution network. The petitioner has not yet joined investigation and, according to the prosecution, has remained absconding despite repeated efforts to arrest him. His custodial interrogation is stated to be necessary for tracing the source of counterfeit material, identifying suppliers and purchasers, uncovering the financial trail, effecting further recoveries and apprehending other persons involved in the racket. The offences alleged are serious in nature and directly affect public health and public safety, as manufacture and circulation of spurious liquor pose a grave threat to human life. At this stage, the Court is satisfied that the investigation is incomplete and custodial interrogation of the petitioner cannot be said to be unnecessary. Granting the extraordinary relief of

anticipatory bail at this stage may adversely affect the ongoing investigation and frustrate the efforts of the Investigating Agency in unearthing the entire conspiracy.

8. In view of the gravity of the allegations, the nature of recoveries, the requirement of custodial interrogation and the overall facts and circumstances of the case, the present anticipatory bail application is **dismissed**.

9. However, nothing observed here-in-above shall be construed to be an expression of opinion on the merits of the case. File be consigned to the record room after due compliance.

Pronounced in open Court:

Dated: 24.07.2026

Asha

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Sessions Judge,

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Present: Mr. Sumit Siwach, counsel for applicant-petitioner.
Mr. Surender Pahwa, Public Prosecutor for the State.

Vide my separate order of even date, **the bail application has been dismissed.** File be consigned to the record room after due compliance.

Pronounced in open Court:
Dated: 24.07.2026

Asha

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