

CNR No.PBSGD10009662025

BA/178/2025

Nanki Devi Vs. State of Punjab

FIR No.103 dated 14.05.2025
U/s 61 Excise Act.
P.S. Lehra.

Present:- Sh. Gagandeep Bhagria, Adv. counsel for applicant/accused.
Sh. Chander Goyal, Learned APP for the State.

This order of mine shall dispose of bail application filed by applicant/accused Nanki Devi under Section 61Excise Act.

2. The applicant/accused has alleged that he has been falsely implicated in the present case and he is is law abiding citizen. He further stated that she has no concern or connection with the above said offence. No recovery is to be got effected from him. It is further stated that no useful purpose is going to be served by keeping her behind the bars. It is further stated that bail and not jail is the cardinal principal of criminal law. The counsel for the applicant/accused prayed that the accused may be admitted to bail.

3. Notice of the bail application was given to the State, however no reply has been filed by the State, but Ld. APP for the State orally opposed the present bail application.

4. Further, HC Jagraj Singh No. 1853/SGR has come present and suffered statement that FIR No. 103 dated 14.05.2025 under Section 61 Excise Act, PS Lehra was registered against applicant/accused Nanki Devi,Lachho Devi and Kashmir Singh and accused Nanki Devi was arrested on 14.05.2025. Except this, threeother FIRs in various sections is pending against accused Nanki Devi. In the present FIR there is no stay/bail order has been received in PS Lehra from any of the court.

5. Heard. Perusal of the papers show that the accused is already in judicial custody since 14.05.2025. In the present case, 50 liter lahan and 72 bottles of illicit liquor was recovered from the accused. Recovery has already been effected from the accused. The custody of accused is no more required for interrogation purpose. Presentation of challan and conclusion of trial of this case is likely to take a long time. Keeping him in custody any further would serve no purpose and burden the state exchequer unnecessarily. Therefore keeping in mind the rule 'Bail not Jail', this court deems it appropriate to grant concession of the bail to the accused as per following conditions:-

1. That the accused shall not leave the territorial jurisdiction of the state without permission of the court.
2. In case the passport of the accused is returned to him by the passport authorities, he shall intimate the court about the same and if required shall submit his passport before the court.
3. Accused shall not hamper with evidence in any way nor try to intimidate the witnesses.

6. Therefore, subject to the abovesaid conditions, the accused is released on bail subject to furnishing bail bonds to the amount of Rs. 20,000/- along with one local surety of like amount. Bail application stands allowed. Bail bonds and Surety bonds furnished which are accepted and attested. Release warrants be issued immediately. Papers be attached with remand papers. Ahlmad is directed to send the copy of the present order by way of e-mail to the concerned Jail Superintendent where the accused is confined.

Date of Order:06.06.2025

(Ankita Gupta)PCS,
Judicial Magistrate Ist Class,
Moonak/ UID-PB0524

Kamalpreet Kaur Stenographer-II