

(2026) 08 P&H CK 0482
In the Punjab And Haryana At Chandigarh
Case No : CRM-M-42723-2026

Yadwinder Sharma alias Happy Pandit APPELLANT
Vs
State of Punjab RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

BNSS, 2023 — Section 482
Punjab Excise Act, 1914 — Section 61

Citation : (2026) 08 P&H CK 0482

Hon'ble Judges : Sanjay Vashisth, J

Bench : Single Bench

Advocate : Mr. Mandeep Kumar Dhot, Advocate, for the petitioner(s). Mr. Neeraj Madaan, Sr. DAG, Punjab.

Final Decision : disposed of

Judgement

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name & age of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Yadwinder Sharma alias Happy Pandit, aged 37 years	095	05.07.2026	S. 61 of the Punjab Excise Act, 1914	Chhajali	Sangrur

2. The genesis of the case, which form registration of FIR, reads as under:-

" On 05.07.2026, HC Lovepreet Singh along with other police officials was present at Bus Stand, village Mauran in connection with patrolling and checking of suspected persons. At about 12:15 AM, HC Lovepreet Singh received a secret information that accused Yadwinder Sharma alias Happy is habitual for selling illicit liquor and he was going towards village Mauran from Mehlan side for selling the liquor in his car bearing

registration number DL-4CAM-8929. If raid be conducted, he could be apprehended red handed. Raid was conducted. On seeing the police party, accused Yadwinder Sharma alias Happy fled from the spot after leaving his car there. On checking of the car, 240 bottles of illicit liquor make Club Malta Haryana were recovered."

3. Learned counsel for the petitioner that petitioner has not been arrested at the spot. He has no concern with the stated recovery. He has been falsely implicated in the present case. Further submits that recovery has already been effected from the car bearing registration number DL-4CAM-8929 as stated in the FIR, and ownership of the car is yet to be ascertained. Culpability of the petitioner is to be ascertained at the stage of trial.

Learned counsel further submits that though petitioner is stated to be involved in three other criminal cases, however, in one case, he is released on probation, and in second case, he is acquitted, whereas, in third case, petitioner is on bail and regularly appearing before trial Court. However, for the sake of convenience, details of which (as mentioned in paragraph No.10 of the petition), are reproduced here-under:-

Sr. No.	FIR Details	Status
1.	FIR No.184 of 2022, u/s 61 of Punjab Excise Act, P.S. City Sunam	Though petitioner was acquitted in this case, but released on probation by trial Court on dated 02.04.2026.
2.	FIR Noi.125 of 2025, u/s 61 of Punjab Excise Act, P.S. Sadar Sangrur, District Sangrur	Petitioner is acquitted by trial Court on dated 09.04.2026.
3.	FIR No.127 of 2025, u/s 281, 324(4), P.S. Sadar Sangrur, District Sangrur	Petitioner is on bail and regularly appearing before trial Court.

4. Learned counsel submits that no recovery is to be effected from the petitioner in the present case and petitioner is ready to join the investigation and co-operate with the police for further investigation. Accordingly, he prays for grant of anticipatory bail.

5. On the other hand, learned State counsel while opposing the prayer and submits that the petitioner is a habitual offender and, thus, he does not deserve the concession of anticipatory bail merely on the premise that the recovery of liquor has already been effected.

However, learned State counsel does not dispute the fact that the petitioner has already been acquitted in some of the cases.

6. Heard learned counsel for the parties.

7. Considering the overall facts and circumstances of the case, without commenting upon the merits, this Court is of the considered opinion that the petitioner deserves the concession of anticipatory bail.

8. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

9. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

10. With the directions issued here above, **present petition stands disposed of**
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Pending misc. application(s), if any, also stand disposed of.