



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M No.39540 of 2024
Date of decision: 12.12.2024

LOVEPREET SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 44, dated 12.05.2024 registered under Section 61 of Punjab Excise Act 1914 at Police Station Dera Baba Nanak, District Batala.

2. Vide order dated 14.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 14.08.2024, passed by this Court, reads as under:

“This petition has been filed under Section 482 of BNSS for giving directions to arresting/investigating officer to release the petitioner on bail in the vent of his arrest in a case bearing FIR No. 44, dated 12.05.2024 under Section 61 of Punjab Excise Act 1914 registered at Police Station Dera Baba Nanak, District Batala.



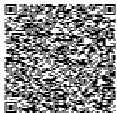
Brief facts of the case are that when the police party was on patrolling duty, one secret information was received that Arjan and his son Lovepreet Singh are into the business of selling illicit liquor in their house and if raid is conducted they can be apprehended red handed, then a raid was conducted, and illicit liquor was recovered. Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case. The recovery in this case has already been effected. He further submits that one FIR was registered against the petitioner on 04.05.2024 on the same set of allegations and in that case, the petitioner has been granted the concession for pre-arrest bail by the Co-ordinate Bench of this Court vide order dated 30.07.2024.

Notice of motion.

Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of the respondent-State. She seeks some time to file status report. A copy of the paper book be supplied to her during the course of the day.

List on 12.12.2024.

In the meantime, the petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-



- (i) *that the petitioner shall make himself available for interrogation before the investigating officer as and when required:*
- (ii) *that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) *that the petitioner shall not leave the country without prior permission of the Court concerned. Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”*

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.08.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 14.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

12.12.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No