



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M No.41385 of 2024
Date of decision: 27.09.2024**

SURJIT SINGH ALIAS SEERA**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr.Ajay Singh, Advocate for
Mr. Nirmaljeet Singh, 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.55 dated 04.08.2024 registered under Section 61 of the Punjab Excise Act, at Police Station Phool, District Bhathinda.

2. Vide order dated 27.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 27.08.2024, passed by this Court, reads as under:

“The prayer in this petition has been made by the petitioner for granting benefit of pre arrest bail in case arising out of FIR No.55 dated 04.08.2024 registered under Section 61 of the Punjab Excise Act, at Police Station Phool, District Bhathinda.

The relevant facts in brief are that on 04.08.2024, a Police Party was present at bus stand at Phulewala in connection with crime



detection and patrolling duty, when a secret information was received to the effect that the petitioner was engaged in the business of making illicit liquor in his house and to sell the same and if raided immediately, huge quantity of illicit liquor/lahan could be recovered from his house. Believing the secret information to be true, a rukka was immediately sent to Police Station for registration of the FIR and the police party headed by ASI Despal rushed towards the informed place. On reaching at the house of the petitioner, two drums each of which was containing 150 liters of lahan, were recovered from the spot. The petitioner had managed to flee. The investigation is underway. Apprehending his arrest, the petitioner had moved an application for grant of bail which had been dismissed by learned Additional Sessions Judge, Bathinda vide order dated 16.08.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. A false recovery has been planted upon him. No recovery remains to be effected from him. He is ready to join the investigation and his custodial interrogation is not required. No purpose would be served by detaining him in custody. Therefore, it is urged that the petition deserves to be allowed.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 27.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week



or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Status report dated 26.09.2024 filed on behalf of the respondent-State is taken on record. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 31.08.2024 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 27.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

27.09.2024.
Jyoti-IV

(MANISHA BATRA)
JUDGE

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