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215 (1st case)

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

**CRM-M-8360-2025 (O&M)
Date of decision: 03.04.2025**

Jagdeep Singh @ Deepa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Mohit Giri, Advocate for the petitioner.

Mr. S.S.Chahal, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of pre-arrest bail to the petitioner in FIR No.12 dated 18.01.2025, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Mehatpur, District Jalandhar Rural.

(2) Allegations are that recovery of 4030 litres of chemical used for making illicit liquor was effected from co-accused Nirmal Singh @ Nimma.

(3) Learned Counsel contends that petitioner was granted interim bail by this Court, vide order dated 14.02.2025 and in pursuance thereof, he

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has already joined the investigation; hence, his custodial interrogation is not required.

(4) The above factual position is not disputed by learned State Counsel, on instructions from the police official concerned.

(5) Status report by way of an affidavit dated 25.03.2025 of Sh. Onkar Singh Brar, DSP, Sub Division Shahkot, Jalandhar (Rural) in compliance of order dated 14.02.2025 on behalf of the respondent has been filed. The same is taken on record. Copy thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) It transpires that petitioner was granted interim protection by this Court, vide order dated 14.02.2025 and the same reads as under:-

“Contends, inter alia, that alleged spurious liquor has already been recovered from the co-accused, Nirmal Singh @ Nimma and petitioner is ready to join the investigation, but he be protected.

Notice of motion.

At this stage, Mr.Kunwarbir Singh, learned AAG, Punjab, accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.

Posted for 03.04.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

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(8) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

(9) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 14.02.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(11) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(12) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

3rd April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>