



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.10440 of 2025
Date of decision: 07.04.2025

SURAJ @ SULTAN AND ANOTHER**.... Petitioners****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Charanjit Singh, Advocate for
Mr. Puneet Kumar Bansal, Advocate for the petitioners.

Ms. Sakshi Bakshi, AAG, 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.35 dated 02.03.2024 registered under Sections 61 of Punjab Excise Act, 1914 at Police Station Sadar Ferozepur, District Ferozepur
2. Vide order dated 24.02.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 24.02.2025, passed by this Court, reads as under:

“Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case arising out of FIR No.35 dated 02.03.2024 registered under Sections 61 of Punjab Excise Act, 1914 at Police Station Sadar Ferozepur, District Ferozepur on the allegations that on 02.03.2024, a police party headed by Gurnam Singh, ASI was present near village

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Dulchi when a secret information was received that the petitioner who were engaged in the business of manufacturing and selling illicit liquor were having huge quantity of liquor with them and were present at that time near Kilche Ke. It was informed that they were waiting for some vehicle for taking it further and could be apprehended if a raid immediately conducted. On believing the information, the police party immediately rushed towards informed place after sending a ruqa for registration of FIR. The petitioners were found present there along with three rubber tubes. On seeing the police party, they managed to flee after leaving behind those tubes. On checking the tubes, 300 bottles of illicit liquor was found kept therein. The same was taken in custody. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending their arrest, the petitioners moved application for grant of pre-arrest bail which had been dismissed by learned Additional Sessions Judge, Ferozepur on 14.02.2025.

It is inter alia argued by learned counsel for the petitioner that they have been falsely implicated in this case. No recovery is to be effected them. They are ready to join the investigation. Their custodial interrogation is not required.

Notice of motion.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 07.04.2025.

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In the meantime, the petitioners are 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 their arrest, the Investigating/Arresting Officer shall release the petitioners on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.”

3. Status report dated 03.04.2025 filed on behalf of respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.03.2025 and he is not required for custodial interrogation.
5. 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 24.02.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)
JUDGE

07.04.2025
Jyoti-IV

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