

CRM-M-13073-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

212CRM-M-13073-2025

Decided on: 30.04.2025

SATNAM SINGH AND OTHERS.....Petitioners

Versus

STATE OF PUNJAB.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Harmanpreet Singh, Advocate for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
i) Satnam Singh ii) Bhagwan Singh iii) Gurpreet Singh @ Gopi	69	09.04.2021	353, 186, 506, 148, 149 of IPC	Chattiwind	Amritsar Rural

2. On 07.03.2025, following order was passed:-

“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 hereunder:

Name and age of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District

(1) Satnam Singh, aged 52 years, (2) Bhagwan Singh, aged 62 years, and (3) Gurpreet Singh @ Gopi, aged 56 years	69	09.04.2021	353, 186, 506, 148, 149 of IPC	Chattiwind	Amritsar Rural
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2. Learned counsel for the petitioners, inter alia, contends, that the alleged raid at the petitioner's house was conducted by the officials of the Excise Department, without issuing any prior notice or involving the police officials, along with the necessary search warrants, as required under the procedure set forth in BNSS, 2023.

There being no such authority with the raiding officials/team, action taken by the officers of the Excise Department is unacceptable in law.

Even, guidelines/procedure, which is generally adopted by the officials of the Excise Department for conducting raid, are also not met with.

Since, no criminal offence has been committed by the petitioners and they have been involved in a false case,they are entitled to the concession of anticipatory bail.

4. Notice of motion.

5. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent - State, and seeks some time to file status report in the matter.

6. Adjourned to 30.04.2025.

7. In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2)Cr.P.C.).

8. Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possesses. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

**CRM-M-13073-2025****3**

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

3. Learned counsel for the petitioners submits that in compliance of order dated 07.03.2025 passed by this Court, the petitioners have joined the investigation, and have fully co-operated, thus, prays for confirmation of the interim bail order.

4. Learned State counsel on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, the petitioners have joined the investigation and custodial interrogation is no more required, interim order dated 07.03.2025 passed by this Court is hereby made absolute. Present petition is thus allowed.

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

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

**CRM-M-13073-2025****4**

It is further made clear that if in future petitioners is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

April 30, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**