



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

104

CRM-M-18918-2025

Date of decision: 5<sup>th</sup> April, 2025

Ram Raj

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Kapish Singla, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 477 dated 16.11.2019 registered under Sections 471, 468, 467, 420 and 120-B of IPC and Section 61 of Punjab Excise Act, 1914 at Police Station Chandhut, District Palwal.

2. As per the allegations, on 16.11.2019, a truck bearing No. UP-75M-5221 was intercepted on the basis of a secret information and on checking the same, 950 cartons of liquor make barada were recovered from the same. The driver of the truck had managed to flee. Even the number plate of the said truck as well as the bills of liquor were found to be fake. It was revealed from the chasis number that the petitioner was the registered owner of the said vehicle. He was nominated as an accused. Apprehending



his arrest, present petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Palwal, which was dismissed vide order dated 30.01.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No recovery is to be effected from him as the same already stands effected. He is ready to join the investigation. His custodial interrogation is not required. Accordingly, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned Senior Deputy Advocate General, Haryana, has advance notice and is ready to argue the matter. It is submitted by him that there are serious and specific allegations against the petitioner, who had affixed a fake number plate on his vehicle. His custodial interrogation is required for the purpose of conducting thorough investigation in the matter. Even otherwise, proclamation proceedings have been ordered to be initiated against him by the Jurisdictional Magistrate and proclamation is ordered to be issued against him for 15.04.2025. He has also placed on record a copy of order dated 12.03.2025 passed by the concerned Magistrate showing so. Therefore, it is argued that the petition is not maintainable and is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. Recovery of huge quantity of liquor was effected from the truck owned by the petitioner. Fake bills qua that liquor have been recovered. Even the number plate has also been found to be fake. Proceedings under



Section 82 of Cr.P.C. have been initiated against the petitioner for 15.04.2025. It is well settled proposition of law that a person who is avoiding arrest and qua whom proceedings qua publication of proclamation have been issued, is not entitled to seek concession of pre-arrest bail. Reliance in this regard can be placed upon observations made by Hon'ble Supreme Court in ***Manish Jain vs. Haryana State Pollution Control Board, 2021(1) AICLR 416***. Even otherwise for conducting proper investigation in the matter, custodial interrogation of the petitioner is required. Moreso, the benefit of pre-arrest bail is to be granted in exceptional and extra ordinary circumstances, whereas, no other circumstance has been made out in this case. Accordingly, finding no reason to allow the petition, the same is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**5<sup>th</sup> April, 2025**

*Parveen Sharma*

|                               |   |          |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |