

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-22490-2025  
Reserved on: 09.07.2025  
Pronounced on: 22.07.2025

Sajan Singh ...Petitioner  
Versus  
State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Lovepreet Singh Sidhu, Advocate for  
Ms. Harpreet Maini, Advocate,  
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

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**ANOOP CHITKARA, J.**

| <b>FIR No.</b> | <b>Dated</b> | <b>Police Station</b>             | <b>Section</b>   |
|----------------|--------------|-----------------------------------|------------------|
| 74             | 14.04.2025   | Sadar Faridkot, District Faridkot | 61 of Excise Act |

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. As per paragraph 13 of the bail application and as per paragraph 8 (E) of the status report, the accused has the following criminal antecedents:

| <b>Sr. No.</b> | <b>FIR No.</b> | <b>Dated</b> | <b>Offenses</b>            | <b>Police Station</b> |
|----------------|----------------|--------------|----------------------------|-----------------------|
| 1.             | 163            | 03.09.2023   | 21, 29, 61, 85 of NDPS Act | Sadar Faridkot        |

3. The facts and allegations are taken from the status report filed by the State. On 29.04.2025, based on secret information, the Police seized 100 boxes of illicit liquor, including 35 boxes of Punjab Ranjha Sofi and 65 boxes of Discount Premium Whisky each box containing 12 bottles of 750 ml from the premises belonging to co-accused Jagseer Singh. The Investigator claims to have complied with all the statutory requirements of the BNSS, 2023.

4. In compliance of order dated 29.04.2025, the petitioner has joined the investigation and during investigation, he disclosed that he had purchased the illicit liquor from Chandigarh for the purpose of selling it to his customers and further disclosed that the premises from which the illicit liquor was recovered had been rented by co-accused Jagseer Singh @ Seera. The petitioner approached the Sessions Court for anticipatory

bail, which was denied.

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

6. The State's counsel opposes bail and refers to the status report.

7. It would be appropriate to refer to the following portions of the status report, which read as follows:

*"8. B. The evidence against the petitioner.*

*i) Recovery of 100 boxes of illicit liquor from the premises of petitioner as well as co-accused.*

*ii) The recovery includes 35 boxes, each containing 12 bottles of Punjab Ranjha Sofi' (750 ml), and 65 boxes, each containing 12 bottles of Discount Premium Whisky' (750 ml), recovered from a house jointly used by the petitioner and co-accused Jagseer Singh @ Seera.*

*iii) During investigation, the petitioner disclosed that he had purchased the illicit liquor from Chandigarh for the purpose of selling it to his customers, and further disclosed that the premises from which the illicit liquor was recovered had been rented by Jagseer Singh @ Seera.*

*C. The role of the petitioner.*

*i) Petitioner is involved in storing and aiding the distribution of illicit liquor in connivance with co-accused Jagseer Singh.*

*ii) Recovery of 100 boxes of illicit liquor from the premises, the recovery includes 35 boxes, each containing 12 bottles of 'Punjab Ranjha Sofi' (750 ml), and 65 boxes, each containing 12 bottles of 'Discount Premium Whisky' (750 ml), recovered from a house jointly used by the petitioner and co-accused Jagseer Singh @ Seera."*

**REASONING:**

8. Recovery of the illicit liquor has already been effected. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

9. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for anticipatory bail.

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty

Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

|    |                                                                                                                                      |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | AADHAR number                                                                                                                        |  |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. |  |
| 3. | Mobile number (If available)                                                                                                         |  |
| 4. | E-Mail id (If available)                                                                                                             |  |

12. The bail order is subject to the petitioner's complying with the following terms.

13. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

16. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.

17. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

18. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

19. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)**  
**JUDGE**

**22.07.2025**

Jyoti-II

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