



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

213 (4th case)

**CRM-M-32079-2025 (O&M)
Date of Decision: 10.07.2025**

Mohd. Najrul @ Shamsher

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition 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.65 dated 25.04.2025 (P-1), under
Sections 61, 78 of The Punjab Excise Act, 1914, registered at Police
Station Dirba, District Sangrur.

2. Reply by way of affidavit dated 09.07.2025 of Rupinder
Kaur, PPS, Deputy Superintendent of Police, Sub Division Dirba has
been filed on behalf of the respondent. Copy thereof supplied to the
opposite side. Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with co-accused is
involved in smuggling of ethanol.



4. Learned State counsel submits that petitioner was granted interim protection by this Court on 11.06.2025 and in pursuance thereof, he has already joined investigation and as on today, his custodial interrogation is not required.

5. Heard learned State counsel and perused the paper-book.

6. It transpires that while issuing notice of motion, petitioner was granted interim protection by this Court on 11.06.2025 and the order reads as under:-

“Contends, inter alia, that recovery of alleged contraband i.e. 200 litre ethanol has already been effected from main accused-Shah Mohammad and similarly situated co-accused, namely, Mohd. Sehnawaz @ Raju, Soukat Alam & Manvinder Singh were granted interim protection by this Court, vide orders dated 13.05.2025 & 28.05.2025, passed in CRM-M-26014-2025, CRM-M-26041-2025 & CRM-M-30209-2025 (P-3 to P-5 respectively).

Notice of motion.

Mr. Prit Inder Pal Singh, learned Addl. A.G., Punjab accepts notice on behalf of the respondent; seeks time to have instructions and/or to file written response in the matter.

*Posted for **10.07.2025.***

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

*To be heard along with **CRM-M-26014-2025.**”*



7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner joined investigation and as on today, his custodial interrogation is not required.

8. 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 11.06.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

11. 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.

10.07.2025

Ithlesh

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No