



CRM-M-34868-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34868-2025
Decided on: 08.12.2025

Rahul Kumar.....Petitioner

Versus

State of Punjab.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sherry K. Singla, Advocate for the petitioner.
Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Rahul Kumar	56	08.06.2025	61(1)(140 of Punjab Excise Act,1914	Sadar Rajpura	Patiala

2. On 07.07.2025, following order was passed:-

“ 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:-*

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2. *Counsel contends that, as per the allegations, 420 bottles of country-made liquor make “Empire No.1 Mota Santra”, which were meant to be sold out Chandigarh, were recovered from car No.PB-11DB-4595. In fact, petitioner has no connection with the alleged crime, as he was not arrested from the spot. Therefore, there is no such knowledge to him about his involvement in the recovery of liquor bottles. Further, contends that moreover the case property, i.e., car bearing registration No.PB-11DB-4595 and 420 bottles of country made liquor, has already been recovered, and custodial interrogation is not going to serve even any meaningful purpose. It is also submitted that petitioner, who is 35 years of age, is not involved in any other similar activity. Accordingly, he prays for grant of anticipatory bail.*

3. *Notice of motion.*

4. *Mr. Neeraj Madaan, learned Senior Deputy Advocate General, Punjab, who is present in Court on advance copy, accepts notice and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

5. *Adjourned to 24.09.2025.*

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

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7. *Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court. ”*

3. Continuing his submissions, learned counsel for the petitioner contends in compliance with the order dated 07.07.2025 passed by this Court, petitioner has joined the investigation on 01.12.2025 and has extended full cooperation. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Sukhwinder Singh, confirms the said averment made by counsel for the petitioner of joining investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 07.07.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as non est automatically.



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7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

08.12.2025

Rashmi

Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO