**CRM-M-39147-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.210****Case No. : CRM-M-39147-2025****Decided On : September 11, 2025**

Gursewak Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

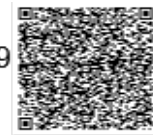
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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.65 dated 14.05.2025, under Section 61 of the Excise Act, 1914 and under Section 123/62 of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Jhabal, District Tarn Taran.

Status Report, by way of an affidavit of Jagjit Singh, PPS, Deputy Superintendent of Police, Sub-Division Tarn Taran, District Tarn Taran, has been filed today in Court on behalf of respondent – State, which is taken on record.

During investigation, it emerged on record that Section 63 of BNS has inadvertently been mentioned at the time of registration of FIR instead of Section 62 BNS. Thereafter, the same has been changed and

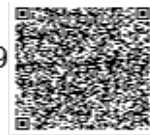
**CRM-M-39147-2025****2**

Section 62 BNS has been incorporated instead of Section 63, vide DDR No.20 dated 16.06.2025, entered in Roznamcha of the aforesaid Police Station.

On the oral request of learned counsel for the petitioner, Section 63 BNS in the head note of the present petition be read as Section 62 BNS. Registry to make necessary correction in the head note of the petition, accordingly.

As per the prosecution version, on 14.05.2025, when the police party was on official duty and patrolling, they received secret information through secret informer that two brothers namely Gurbhinder Singh @ Jajju and Gursewak Singh were selling liquor prepared from poisonous and unhealthy substances, which had no degree and they were aware that the said liquor could be dangerous to human life. In this way, they were playing with lives of innocent people. If raid was conducted, the said two persons could be apprehended with large quantity of poisonous liquor prepared from intoxicating substances. Then the FIR in question was registered and the police party conducted raid at the disclosed place. The petitioner Gursewak Singh managed to escape but his brother Gurbhinder Singh was apprehended at the spot and on search of the said house, 23 drums of Lahan (each drum of 200 kg), one plastic tank containing 3000 kg Lahan and two iron drums each containing 200 kg Lahan were recovered from the said house. Thus, 8000 kg of Lahan was recovered from the house of the petitioner.

Learned counsel for the petitioner contended that no offence is made out against the petitioner and he has been involved in the present



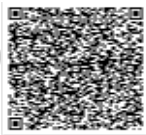
case only on the basis of secret information. In fact, he was neither present at the spot nor ran away. The entire story of prosecution is concocted one, just to satisfy the political rivalry in the village. Nothing is to be recovered from the petitioner. He is ready and willing to join the investigation. Learned counsel further urged that the petitioner is not required for any interrogation and therefore, he be granted concession of anticipatory bail.

Status Report, by way of an affidavit of Jagjit Singh, PPS, Deputy Superintendent of Police, Sub-Division Tarn Taran, District Tarn Taran, has been filed today in Court on behalf of respondent – State, which is taken on record.

Learned State counsel opposed the present bail petition and contended that apart from the present FIR, two other cases under the Punjab Excise Act had been registered against the petitioner, out of which, he had been acquitted in one case and is under-trial in the other one. He further submitted that the allegations levelled against the petitioner are grave in nature as in the past also, many incidents had taken place, wherein innocent people had lost their lives due to consumption of hooch/illicit liquor but still, the situation has not improved. Custodial interrogation of petitioner is much required for fair and proper investigation of the case in hand, to get it to its logical end. So, the petitioner does not deserve concession of anticipatory bail.

Heard.

As per the prosecution version, 8000 kg of Lahan was recovered from the house of the petitioner. Co-accused Gurbhinder Singh @ Jajju, who is brother of the petitioner, was apprehended at the spot, while the



petitioner succeeded in escaping from the spot. The recovery was allegedly effected from the house, where petitioner and his brother were residing jointly. Apart from the present FIR, the petitioner is stated to be involved in two more cases under the Punjab Excise Act. However, in one case, he had been acquitted but in the second case, he is still facing trial.

Keeping in view the specific allegations against the petitioner and his past criminal antecedents, no ground for granting anticipatory bail to the petitioner is made out. Even otherwise, custodial interrogation of the petitioner is required to know the origin of such a huge quantity of Lahan that had been recovered from his house. Accordingly, the present petition stands dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall stand disposed of along with the present petition.

September 11, 2025

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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.