



CRM-M-39889-2025

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-39889-2025

Date of decision: 28.08.2025

BHUPINDER SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Ms. Rubi Khokhar, Advocate for
Mr. Malkiat S. Hundal, Advocate for the petitioner.
Mr. Satvir Mander, AAG, Punjab.

RUPINDERJIT CHAHAL, J. (ORAL)

Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS"), the petitioner seeks anticipatory bail in case FIR No.48 dated 06.06.2025 under Sections 132, 221, 118(1), 191(3), 190 of BNS and Sections 61/1/14 of Punjab Excise Act, 1914, registered at Police Station Harike, District Tarn Taran (Annexure P-1).

2. On 28.07.2025, following order had been passed: -

"Instant petition is preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.48 dated 06.06.2025 under Sections 132, 221, 118(1), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 61/1/14 of Punjab Excise Act, 1914, registered at Police Station Harike, District Tarn Taran.

Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the FIR (supra). There is no evidence to prove that the petitioner was in conscious possession of illicit liquor recovered in the present case. Further, the alleged recovery has been effected in an open space, which is accessible to all. As such, recovery from conscious possession of the petitioner cannot be fastened upon him in any manner. Moreover, the maximum sentence provided for the offences, under



which the FIR (supra) is registered, is punishable upto 05 years. The petitioner is having clean antecedents and is not involved in any other case.

Notice of motion for 28.08.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

2. Learned counsel for the petitioner submits that in compliance of the order dated 28.07.2025 passed by this Court, the petitioner has joined the investigation.



3. Learned counsel for the State, on instructions from ASI Sukhdev Singh, has submitted that the petitioner has joined the investigation and is no longer required for further investigation.

4. In view of the statement made by learned State counsel, the interim order dated 28.07.2025 is made absolute. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

28.08.2025

Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No