

CRM-M-40849-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-40849-2025
Decided on: 19.11.2025

Kabal Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rohit, Advocate for
Mr. Ramnish Puri, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

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 FIR No.61 dated 15.06.2025, under Section 61 of the Punjab Excise Act, 1914 at PS Sarai Amanat Khan, District Tarn Taran.
2. On 31.07.2025, following order was passed:

“(i) 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:

<i>Name of Petitioner(s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Kabal Singh and Vajir Singh @ Wazir Singh</i>	<i>61</i>	<i>15.06.2025</i>	<i>61 of the Punjab Excise Act, 1914</i>	<i>Sarai Amanat Khan</i>	<i>Tarn Taran</i>



(ii) *Learned counsel for the petitioner, inter alia, contends that petitioner has falsely been involved in the present case. Petitioner No.1 is suffering from disability to the extent of 60%. In that regard, counsel refers to the disability certificate appended with the petition (Annexure P-4). In one of the cases of similar nature, petitioner has already been acquitted and in the other case, petitioner is on bail.*

Allegation against the petitioner is that there is recovery of 540 grams of Lahan (135 bottles) from the house of the petitioner and in front of the Police both the petitioners succeeded in running away. The allegations are concocted and appear to be an improbable version of events.

Moreover, the recovery has already been effected. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iii) *Notice of motion.*

(iv) *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab puts in appearance on behalf of the respondent – State, 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.*

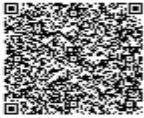
(v) *Adjourned to 19.11.2025.*

(vi) *In the meanwhile, the 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.).*

(vii) *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 that in compliance to the order dated 31.07.2025 passed by this Court, petitioner has joined the investigation on 03.08.2025.

4. Learned State counsel on instructions from ASI Rajpal Singh, confirms the said averment made by counsel for the petitioner of joining the investigation on 03.08.2025 by the petitioner, and submits that as of now, custodial



CRM-M-40849-2025

3

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 31.07.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

(SANJAY VASHISTH)
JUDGE

19.11.2025
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Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO