



CRM-M-54821-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54821-2025

Date of Decision: 01.12.2025

SAPAN KAYAT

..... Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Puneet Bali, Sr. Advocate with
Mr. Abhishek Sharma, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, DAG, Haryana.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of anticipatory bail in case FIR No.819 dated 14.09.2017, registered under Sections 471, 468, 467, 420, 120-B & 61 of Punjab Excise Act, 1914 at Police Station Sadar Jhajjar, District Jhajjar.

2. On 01.10.2025, the following order was passed:-

“CRM-40039-2025

The applicant-petitioner through instant application under Section 528 of BNSS, 2023 is seeking permission to place on record the document as Annexure P-8.

Allowed as prayed for.

Annexure P-8 is taken on record, subject to all just exceptions.

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Prayer in this petition under Section 482 of BNSS,



2023 is for grant of anticipatory bail to the petitioner in FIR No.819 dated 14.09.2017, registered under Sections 471, 468, 467, 420, 120-B & 61 of Punjab Excise Act, 1914 at Police Station Sadar Jhajjar, District Jhajjar. Status report by way of an affidavit of Surender Kumar, HPS, Asstt. Commissioner of Police, City Jhajjar, District Jhajjar, filed on behalf of the State is taken on record.

Brief facts of the prosecution case are that on 14.09.2017, secret information was received by the police to the effect that Devender resident of Jathedi and Mukesh resident of village Mahra and other persons deal in illicit sale of liquor. They prepare fake bills and invoices and bring liquor bottles from other States and sell the same in Gurgaon and today, they are transporting illicit liquor in truck bearing No.HR-64- 7084 which has been brought from Rajpura, Punjab. In case a naka is laid, the truck can be apprehended. Thereafter, as per information, a naka was laid and truck was apprehended and the driver disclosed his name as Vinod and the other person present in the cabin disclosed his name as Shri Ram and third person disclosed his name as Nirbhay Raju. The truck was checked which contained 1250 boxes containing 48 nips of liquor each make crazy romeo whisky. The bill was produced by the driver which had been issued by N.V. Distilleries and Breweries, Rajpura. The contraband was seized and taken into possession. Offence under Sections 420, 467, 468, 471, 120-B read with Section 61-1-14 of Excise Act were found to have been committed and formal FIR was registered. After completion of investigation, challan was presented for trial. The prosecution case further is that accused Devender, who was named in the secret information was arrested on 26.08.2025 i.e. after about 8 years and in his disclosure statement, he nominated the present petitioner as an accused, who had prepared forged bills and bilti. Apprehending arrest, petitioner applied for anticipatory bail



which has been rejected by learned Sessions judge, Jhajjar.

Learned counsel for the petitioner contended that petitioner was working on a senior post in the said Distillery. The main accused may have purchased the alcohol from the open market and were transporting the same on the basis of fake invoices. As per certificate issued by Excise Officer deputed at N.V. Distilleries dated 09.09.2025, no such truck bearing No.HR-64-7084 left the premises of the Distillery with 1250 boxes of crazy romeo whiskey and no outward gate pass was issued. Learned counsel next contended that he has been implicated after 8 years of the recovery on the basis of disclosure statement suffered by said Devender, which is not admissible in evidence. Learned counsel contended that petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour.

On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and he does not deserve the concession of anticipatory bail.

Adjourned to 01.12.2025. Meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-

- i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave India without the prior permission of the Court;*



iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.”

3. Today, on instructions from ASI Ashok Kumar learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 01.10.2025 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 01.10.2025, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

5. Disposed of.

6. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

01.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No