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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.64196 of 2024
Date of decision: 29.01.2025

Gurmej Singh @ Geji ... Petitioner

Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Geeteshwar Saini, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0004	16.01.2024	Guru Harsahai, District Ferozepur	61 of the Punjab Excise Act, 1914

2. The petitioner has been booked for commission of aforementioned offences on the allegations that on 16.01.2024 on the basis of a secret information, a raid was conducted in his house by a police party and 750 liters of lahan was recovered from the same. The petitioner was fled away from the spot by taking advantage of the darknesss. After registration of FIR, investigation proceedings have been

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initiated and are underway.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case and a false recovery has been planted upon him. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. Therefore, it is argued that he deserves to be extended benefit of anticipatory bail.

4. Status report has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner who is a habitual offender being involved in several other cases of similar nature. Therefore, it is argued that he does not deserve to be given benefit of anticipatory bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record.

6. The petitioner is alleged to have kept illicit lahan to the tune of 750 liters at his house. The recovery of the same has already been effected from him. Custodial interrogation of the petitioner is not required. In my considered opinion, this is a fit case for grant of anticipatory bail to the petitioner. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail in the event of his arrest, on the following conditions:-

- (i) He shall furnish requisite personal/surety bonds to the satisfaction of the Arresting officer/investigating officer by appearing before him within a period of ten

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days;

- (ii) He shall appear before the Investigating Officer as and when called subsequently and submit all documents and details as may be called upon by him.
- (iii) He shall not tamper with the evidence or cause any threat or to any of the prosecution witnesses in any manner.
- (iv) In the event of violation of any of the abovesaid terms, his bail shall stand automatically cancelled.
- (v) He shall not leave the country without prior permission of the trial Court.
- (vi) He shall regularly appear before the Court on every date of hearing and also and when called upon to do so during the course of trial.

7. It is further clarified that the observations made above are only for the purpose of consideration of application for anticipatory bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

29.01.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No