



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M No.66275 of 2025
Date of decision : 2.12.2025
Date of uploading : 2.12.2025**

Lakhvir Chand

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Abhijeet Chaudhary, Advocate, for the petitioner

Mr. Gaurav Gurcharan S. Rai, Senior DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.214 dated 21.10.2025 under Sections 318(4), 274 and 123 of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Baghapurana, Moga.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Station House Officer, Police Station Bagha Purana, Fateh! Today I along with ASI Jagseer Singh 84/Moga, Set Parminder Singh 1416/Moga, boarding private vehicle in connection of Patrolling and in search of suspicious persons were present at T Point Channunwala Road Bagha Purana, then a special informer gave information to me that on Channunwala Road Bagha Purana in the street going towards Nehru Mandi, Wakeel Malik, Anas sons of Ibrahim Malik residents of



Ahmedabad Khatoli Muzaffarnagar U P, Muhammad Bilal son of Muhammad Insan resident of Kareem Nagar Afzalpur U.P., Sadaab son of Aqil resident of Islamabad Kharela Muzaffarnagar U.P, are preparing adulterated Ghee and are playing with the health of people. If a raid be conducted right now then, they can be nabbed along with heavy quantity of adulterated Ghee. That this information is solid and reliable. Wakeel Malik, Anas, Muhammad Bilal, Sadaab above named by doing fulfils definition of offences under section 318(4), 274, 123 BNS. Therefore the present Ruqa (Slip) is reduced to writing for registration of case under above mentioned offence against Wakeel Malik, Anas, Muhammad Bilal, Sadaab above named is being sent by hand through Sct Parminder Singh 1416/ Moga to the police station. After registration of the case number of the case may be informed. Incharge PCR Moga may be informed for senior officers. Original Ruqa (Slip) along with copy of FIR be sent to me the ASI. I along with fellow employees after relieving the special informer am leaving for the place pointed out by the informer for conducting raid and recovery and after coordinating with the Civil Surgeon Office Moga and the Food Safety Officer are being called at the spot. Sd/- Lakhvir Singh ASI Police Station Bagha Purana dated 21.10.25.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 22.10.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the recovery of spurious ghee cannot be attributed to the petitioner. Learned counsel has further argued that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 2.12.2025

in Court, which is taken on record.



5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 22.10.2025 and is stated to be in continuous custody since then. Culmination of investigation as also the trial emanating therefrom, in case occasion so arises, will take long time. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 2.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 month and 8 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or



- documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

2.12.2025
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No