



207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5396-2026
Decided on : 22.04.2026

Monu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. L.M. Gulati, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab
assisted by ASI Balwinder Singh.

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 First Information Report, as detailed here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Monu, aged about 43 years	0060	22.05.2025	61-1-14 of Punjab Excise Act, 1914 and Sections 123, 62 of BNS, 2023	Chatiwind	Amritsar Rural

2. In the present case, on 31.01.2026, following order was passed by this Court:-

“2. Learned counsel for the petitioner, inter alia, contends that as per the case of prosecution, a special informant allegedly informed the police that petitioner was engaged in the sale of illicit liquor, which was poisonous, unhealthy, and unfit for human consumption, having no ascertainable alcoholic content. It was further alleged that liquor circulated by the petitioner was dangerous to human life. On the basis of this secret information, an FIR was registered even prior to the alleged effecting of recovery.

3. Counsel for the petitioner further argues that the prosecution claims to have effected recovery of 40 bottles of country-



made illicit liquor from the petitioner's house on 22.05.2025; however, in reality, no such recovery was made. The alleged recovery is highly doubtful as no independent witness was associated at the time of the search and seizure.

It is also contended that story of the prosecution regarding fleeing of the petitioner from the spot at the time of raid is wholly unbelievable. Once the police had prior secret information, it was incumbent upon them to conduct the raid with full preparation, including measures to prevent the accused from escaping. The allegations, therefore, are false, fabricated, and baseless in nature. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 22.04.2026.*

7. *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 abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 31.01.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on



19.04.2026 by the petitioners, and submits that as of now, custodial 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 31.01.2026, passed by this Court is hereby made **absolute**.

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.

7. Accordingly, petition stands **disposed of**, accordingly.

8. However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

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

(SANJAY VASHISTH)
JUDGE

April 22, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No