



CRM-M-6816-2026

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208-1

CRM-M-6816-2026
Decided on: 07.05.2026

Surinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaganpreet Kaur, Advocate for
Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, 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.7, dated 10.01.2026, under Section 61(1) of the Punjab Excise Act, 1914, registered at Police Station Arniwala, District Fazilka.

2. On 05.02.2026, following order was passed:

“(i) *** **

(ii) *Learned counsel for the petitioner, inter alia, contends that as per the allegations, police party received a secret information to the effect that (1) Shahra Singh, (2) Surinder Singh, son of Shahra Singh (present petitioner), (3) Raj Singh, and (4) Mangal Singh were habitually engaged in the illegal brewing and sale of illicit liquor in large quantities, and if a raid was conducted immediately, a huge quantity of illicit liquor/lahan could be recovered and the accused apprehended red-handed. Acting upon the said information, the police party conducted a raid at the house of accused Shahra Singh, from where 600 litres of lahan was allegedly recovered.*

It is further alleged that upon noticing the arrival of the police party,



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Surinder Singh (petitioner herein), Raj Singh, and Mangal Singh succeeded in fleeing from the spot, whereas Shahra Singh, father of the petitioner, was apprehended.

(iii). Learned counsel for the petitioner submits that the case has been falsely planted against the accused persons. It is argued that once a prior secret information had been received, in the normal course of events, it would be expected that the police would have conducted the raid with adequate manpower, and in that situation, it would have been improbable for the other accused—who had no prior knowledge of the raid—to flee from the spot. Moreover, FIR is silent as to any effort made by the police party to chase or apprehend the alleged fleeing accused. No steps whatsoever appear to have been taken to nab them. Thus, the version set up by the prosecution is inherently improbable.

It is further submitted that the alleged recovery of lahan has already been effected and Shahra Singh, owner of the house and father of the petitioner, has already been arrested. In these circumstances, no useful purpose would be served by subjecting the petitioner to custodial interrogation. Thus, counsel prays that petitioner be granted the concession of anticipatory bail in the present case.

(iv). Notice of motion.

(v). 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.

(vi). Adjourned to 07.05.2026.

(vii). 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.).

(viii). 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. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 05.02.2026, the petitioner has joined investigation.

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4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, 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 05.02.2026 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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.

8. However, present order would be subject to the submission of his passport 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.

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

07.05.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES~~/NO