

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39095-2025 (O&M)

Date of Decision: 10.03.2026

GURJANT SINGH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Jasdev Singh Mehndiratta, Sr. Advocate
with Mr. Kanwarnoor Singh Sethi, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

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.50 dated 01.05.2025, under Sections 110, 274, 318(4), 336(3), 338, 340(2) and 61(2) of the BNS, 2023 and Sections 61, 63(A) and 72(A) of the Excise Act, 2020 at PS Shahzadpur, District Ambala.

2. On 24.07.2025, following order was passed :-

“1. Prayer in this petition, filed under Section 482 of 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 the First Information Report, as detailed here-under:-

<i>Name of petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Gurjant Singh</i>	<i>50</i>	<i>01.05.2025</i>	<i>110, 274, 318(4), 336(3), 338, 340(2) and 61(2) of BNS, 2023 and 61, 63(A) and 72(A) of Excise Act, 2020</i>	<i>Shahzadpur</i>	<i>Ambala</i>

2. In brief, relevant facts of the case are that on 30.04.2025, secret information was received that Gurpreet Singh, Surender Singh, Sandeep, Sachin and Bitu were involved in distilling & selling of illicit and poisonous liquor in the rented accommodation in Modern City Colony, Shahzadpur. After conducting the raid, FIR in question was registered, and subsequently Satvinder Singh @ Bittu was arrested on 03.05.2025 and in his disclosure statement, recorded at the time, nothing was stated by the arrested accused about the petitioner, but, it was the second disclosure statement recorded on 06.05.2025, that too on 6th day of registration of FIR, wherein he named Gurjant Singh @ Jenta @ Khali-petitioner. He further submits that petitioner has nothing to do with the alleged crime, neither premises belong to him nor his name is mentioned amongst the suspects, whose names were involved on the secret raid conducted. Recovery of 540 liters of spirit in three drums, empty drums, bottles, empty card-board boxes, wrappers, sealing machines etc, had already been effected from the spot. Besides, petitioner is ready to join investigation, if protected from arrest. Thus, he prays for grant of concession of anticipatory bail to the petitioner in the present case.

3. Learned counsel further submits that the petitioner has been falsely implicated on multiple occasions in the past as well. In support of this contention, reference is made to paragraph No.12 of the petition, which outlines the fact that 04

cases were registered against the petitioner in which he has already been acquitted. The details and status of the said cases are reproduced here-below for reference.

<i>FIR No./Date</i>	<i>Sections</i>	<i>Police Station</i>	<i>Present Status</i>
<i>21/13.09.2018</i>	<i>61-1-14-Excise Act</i>	<i>Samrala, District Khanna</i>	<i>Acquitted</i>
<i>139/21.11.2014</i>	<i>279/337 IPC</i>	<i>Sadar Sangrur, District Sangrur</i>	<i>Acquitted</i>
<i>42/23.03.2013</i>	<i>420/448 IPC</i>	<i>Urban Estate, Patiala</i>	<i>Acquitted</i>
<i>570/01.03.2003</i>	<i>279/304-A IPC</i>	<i>Sadar, Patiala</i>	<i>Acquitted</i>

4. Notice of motion.

5. On advance notice, learned State counsel puts in appearance on behalf of the respondent State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report by verifying the submissions addressed by the petitioner's counsel.

6. Adjourned to 14.10.2025.

7. In the 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 be 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.

9. 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 contends that in compliance to the order dated 24.07.2025 passed by this Court, the petitioner has joined

the investigation on 29.07.2025.

4. Learned State counsel on instructions from SI Radhe Shyam, P.S. Sahazadpur, District Ambala, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 29.07.2025, 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 24.07.2025 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/she 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.

March 10, 2026
gurpreet

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No