



**In the High Court of Punjab and Haryana, at Chandigarh**

**Criminal Misc. No. M-42933 of 2025**

**Reserved On: 07.03.2026  
Pronounced On: 17.03.2026**

Abhishek Thapar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Surya Partap Singh.**

Present: Mr. Kanwar Abhay Singh, Advocate  
for the petitioner(s) (Joined Through Hybrid Mode).

Mr. Eklavya Darshi, Deputy Advocate General,  
Punjab, for the respondent.

**Surya Partap Singh, J.**

1. This petition for pre-arrest bail, is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 2 dated 09.01.2025, for the commission of offence punishable under Section(s) 186, 201 and 380 of 'the Indian Penal Code, 1860' Police Station Sarabha Nagar, District Ludhiana, Punjab.

2. Briefly stating the facts emerging from the record are that the FIR of this case came into being at the instance of "Dr. Tarun Bansal", Food Safety Officer, Ludhiana, hereinafter being referred to as "complainant" only. It was alleged by the above-named complainant that on 12.02.2022, Food Safety Team, Ludhiana, had raided the residential premises of 'Jagjit Singh Grewal' and 'H.S.Grewal', situated in Gali No.3, Gurdwara Wali Gali,

Panchsheel Vihar, Ludhiana, wherein it was found that duplicate desi ghee under the brand name 'Param Anand' was being manufactured by a firm, namely 'M/s Sharma Milk Products'. According to complainant, during raid, 'Anmol', 'Abhishek Thapar' (petitioner herein) and 'Manu' were present at the spot, who stated that they were the employees of the above-mentioned firm. As per complainant 882 liters of 'desi ghee', 628 kgs. of 'Gemini Vanaspati (Adulterant)', 748 liters of refined soybean oil and six liters of artificial flavouring agent and that huge quantity of packaging material were recovered. The complainant has alleged that the premises along with the stock were sealed by the Food Safety Team, and that on 28.03.2023 when the premises was inspected again, it was found that the seals of the premises were tampered with and the entire stock, which was seized earlier, was misappropriated.

3. It is the case of the prosecution that in view of above-mentioned complaint, formal FIR of this case was lodged and the investigation taken up.

4. The record has been perused carefully.

5. A careful perusal of record shows that in the present case, following are the relevant factors which are necessary to be taken into consideration for a decision:-

- i) that the offence is triable by the court of Judicial Magistrate;
- ii) that there is a very serious doubt against the connection of the procedure adopted by the officials of the Food & Safety Department, as they are claiming that the

adulterated food items were seized and placed in the same premises, from where it were recovered;

- iii) that since there is no claim on behalf of Food Safety Authorities that price of the above-mentioned food items was paid by the Food Safety Officer to its owner, it is apparent that the food items for which price was not paid, and was in possession of the accused, was owned by the complainant. Thus, there is a question mark as to whether any case under Section 380 of IPC is made out or not;
- iv) that there is nothing on record to show that under what provision a direction was given by the Food Safety Officer to the petitioner to keep the recovered food items in safe custody;
- v) that there is nothing on record to show that custodial interrogation of the petitioner will serve any purpose;
- vi) that the investigation and trial of the case are not likely to be concluded in near future;
- vii) that there is nothing on record to show that if released on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- viii) that there is nothing on record to show that if released on anticipatory bail, the petitioner will not participate/cooperate in the trial.

6. Taking into consideration the cumulative effect of all the aforesaid factors, the present petition deserves to be allowed. Hence, the

same is hereby **allowed**. It is hereby ordered that in the event of his arrest, the petitioner shall be released on anticipatory bail on furnishing bonds to the satisfaction of arresting officer. The petitioner shall join the investigation as and when called by Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of BNSS.

7. It is, however, clarified that any observations made in the above-mentioned order shall not be construed as an expression of opinion on the merits of the case.

(Surya Partap Singh)  
Judge

March 17, 2026  
“DK”

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