



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

CRM-M-55671-2025
Date of decision: 16.02.2026

ANISH KUMAR

...PETITIONER

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Rajesh Goyal, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the petitioner in case bearing FIR No.516 dated 08.09.2025 registered under Section 61 of Excise Act and Section 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Industrial Sector-29, Panipat, District Panipat.

2. Briefly stated, on 07.09.2025, the police party headed by ASI Subhash Kumar, on the basis of secret information, intercepted a truck bearing No.UP-25ET-1555, make TATA, on checking, the truck was found to be loaded with 225 bags of Choker, 145 boxes containing bottles of English liquor marka Officer Choice, 35 boxes containing halves of English liquor marka Officer Choice, 56 boxes containing quarters of English liquor marka Officer Choice, 43 boxes containing halves of English liquor marka Blue stroke Whiskey and 215 boxes of beer marka King Fisher Strong Cans,



totalling to 494 boxes of English liquor and Beer. The entire checking was conducted in the presence of Excise Inspector. As such, a case under section 61 of Excise Act read with section 318(4) BNS was registered.

3. Learned counsel for the petitioner contended that vide order dated 30.09.2025 passed by a co-ordinate Bench of this Court, the petitioner was granted interim bail in the present case and state was directed to file a detailed reply in the meanwhile; petitioner has been involved in the present case only on the basis of disclosure statement made by co-accused, which is inadmissible in evidence and the recovery has already been effected in the present case, therefore, the petitioner is not required for custodial interrogation. The petitioner is ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for relief of anticipatory bail to the petitioner.

4. Learned State counsel opposed the prayer made by the petitioner and filed status report dated 25.10.2025 by way of an affidavit of Sh. Suresh Kumar, HPS, Deputy Superintendent of Police, Traffic, Panipat on behalf of respondent-State and the same is taken on record. Learned State counsel submitted that huge quantity of liquor has been recovered in the present case; during investigation, the petitioner also admitted his relations with the persons who were apprehended; the petitioner is not co-operating in the investigation and his custodial interrogation is required to know the source of liquor. Moreover, the petitioner is also involved in three more cases of similar nature under the Liquor Prohibition Act in Bihar. As such, learned State counsel prayed for dismissal of the present petition.

5. Heard.



6. Keeping in view the gravity of the offence and the contentions of learned counsel for the petitioner as well as learned State counsel that huge quantity of liquor has been recovered in the present case; during investigation, the petitioner also admitted his relations with the persons who were apprehended; the petitioner is also involved in three more cases of similar nature under the Liquor Prohibition Act in Bihar; the petitioner is not co-operating in the investigation and his custodial interrogation is required to know the source of liquor. Hence, the petitioner is not entitled to the relief of anticipatory bail in view of law laid down by the Hon'ble Supreme Court in case titled as '*CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806*' decided on 03.08.1997, wherein the importance of custodial interrogation has been emphasized by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

February 16, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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|------|---------------------------|
| (i) | Whether speaking/reasoned |
| (ii) | Whether reportable |

Yes/No
Yes/No