

CRM-M-72200-2025

2026:PHHC:000494



216

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

CRM-M-72200-2025

Shadab @ Sadaab

....Petitioner

versus

State of Punjab

....Respondent

Date of decision: January 08, 2026

Date of Uploading: January 08, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Amitoj Singh Dhaliwal, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.214 dated 21.10.2025, for the offence punishable under Sections 318(4), 274 & 123 of the the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNS'), registered at Police Station Baghapurana, District Moga, Punjab.

2. The gravamen of allegations against the petitioner is that on 21.10.2025, a police party from Police Station Baghapurana, in the presence of Lavdeep Singh, Food Safety Officer, Office of the Civil Surgeon, Moga, conducted a raid at a residential premises. During the raid, 145 cardboard boxes of ghee bearing the brand name "*Rudra*", each containing 898 grams,

CRM-M-72200-2025

and 46 cardboard boxes of ghee bearing the brand name “*Sifti*”, each containing 898 grams, were recovered. In addition thereto, two tins of ghee weighing 15 kilograms each, four boxes of soybean refined oil, each box containing 10 packets, one packaging machine, and two bottles, one of which contained *desi ghee* flavour, were also recovered from the premises. The entire stock of ghee was found to be spurious/adulterated. The said recovery was effected from the premises where the petitioner was residing. The petitioner, along with co-accused, namely, Mohammad Bilal, Anish, and Vakeel Malik, was arrested at the spot along with the above-mentioned incriminating material.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 21.10.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that alleged recovery of spurious *ghee* cannot be attributed to the petitioner. Learned counsel has urged that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 07.01.2026 in the Court today, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

CRM-M-72200-2025

6. The petitioner was arrested on 21.10.2025 whereinafter investigation was carried out and challan has been presented on 19.12.2025. The rival contention raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 07.01.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 02 months and 14 days & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station

CRM-M-72200-2025

and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.

(vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

January 08, 2026
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No