



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-4966-2025(O&M)
Date of Decision: 01.03.2025

MUKHWINDER SINGH
STATE OF PUNJAB

VERSUS

....Petitioner
....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rohit, Advocate for
Mr. Neeraj Yadav, Advocate for the petitioner.

Ms Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0045	16.06.2024	Mohkampura, District Amritsar	381, 409 of IPC (Sections 411 and 120-B of IPC added later on)

2. Vide order dated 29.01.2025 passed by this Court, the petitioner was ordered to be released on interim bail and was directed to join investigation.
3. Learned State counsel on instructions from the Investigating Officer, submits that the petitioner has joined the investigation on 02.02.2025. Learned State counsel has also submitted that further joining of the petitioner is required since he has not given the details of the persons to



whom he has supplied the stolen clothes. It is also submitted that the petitioner has not cooperated with the Investigating Officer.

4. This Court cannot treat the behaviour attributed to the petitioner to be an instance of non-cooperation, justifying denial for pre-arrest bail since, an accused while joining investigation, is not expected to make self incriminating statement under threat that the benefit of interim protection may be withdrawn. So far as, denial to disclose the identity of other co-accused is concerned, that cannot be considered as a ground for denial of benefit of bail to the petitioner. In the considered opinion of this Court in the given circumstances, the pretrial incarceration of the petitioner is not required. As such, the present petition is allowed and the order dated 29.01.2025 granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

5. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

01.03.2025
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |