



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

207

CRM-M-5946-2025(O&M)
Date of Decision: 08.05.2025

MUKESH KUMAR

....Petitioner

VERSUS**STATE OF PUNJAB**

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ankush Singla, Advocate for the petitioner.

Ms. Himani Arora, 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
07	11.01.2025	P.S. Division 8, Ludhiana	420, 467, 468, 471 of IPC

2. Vide order dated 03.02.2025 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 submits that the petitioner has joined the investigation on 08.05.2025. Learned State counsel further submits that the petitioner has not cooperated in the investigation and has not disclosed the manner in which he had tampered the cheque in question. Therefore, it is urged that he does not deserve to be given benefit of bail.

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is not expected to make self incriminating statement under threat that the benefit of interim protection may be withdrawn.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 manner in which he had tampered the cheque in question 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.

08.05.2025

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> |