



CRM-M-35374-2025

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

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CRM-M-35374-2025

Date of decision: 15th September, 2025

Nitin Gupta

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks anticipatory bail in case FIR No. 27 dated 23.01.2024 registered under Sections 420 and 120-B of IPC at Police Station City Budhlada, District Mansa.

2. Vide order dated 16.07.2025 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.08.2025. It is submitted by learned State counsel that he is required to be joined into further investigation by keeping him in custody since details as to main position holders of MYVEE token is to be collected from him. It is, therefore urged that the petition does not deserve to be allowed.

4. The petitioner has joined investigation on 22.08.2025. The plea that his custodial interrogation is required for the purpose of extracting details about the main stake holders of MYVEE token company, is not a compelling ground to justify custodial interrogation of the petitioner. He has



joined investigation. It is well settled that the purpose of joining investigation is to make oneself available to the investigating agency and to respond to lawful queries and not to compulsorily divulge self-incriminating information. In the instant case, the conduct of the petitioner in appearing before the Investigating Officer and responding to the investigation, satisfies the legal standard of cooperation. Keeping in view the nature of the allegations, pre-trial incarceration of the petitioner is also not required. It is also well settled that pre-trial incarceration should not be a replica of post conviction. As such, a case is made out for allowing the present petition. Accordingly, the present petition is allowed and the order dated 16.07.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

15th September, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No