



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

213

CRM-M-58714-2025

Date of decision: 2nd December, 2025

Rajdeep Singh @ Raja

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.S. Gill, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Saqib Ali, Advocate for respondent No.2.

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. 55 dated 02.06.2025 registered under Sections 109, 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 at Police Station Khilchian, District Amritsar (Rural).

2. Vide order dated 17.10.2025 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Status report has been filed. The petitioner is stated to have joined the investigation on 20.10.2025. Learned State counsel has, however submitted that the petitioner did not cooperate with the Investigating Agency as he did not get recovered the gun and motor cycle used by him in the occurrence. Therefore, it is urged that the petition does not deserve to be allowed.

4. The petitioner joined investigation on 20.10.2025. So far as the



non recovery is concerned, mere non recovery cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as ‘*Jagdish Thakkar vs. State of Delhi*’, 1992 (3) CCR 2764’ and in case titled as ‘*Pooran Singh vs. State of Delhi*’, 2022(1) RCR (Criminal) 503. With regard to contention that the petitioner has not co-operated with the investigation, it may be stated that the behavior attributed to the petitioner cannot be considered as an instance of non-cooperation, justifying denial for grant of pre-arrest bail since, an accused, while joining investigation, is not expected to make self incriminating statement under the threat that the State may seek withdrawal of the interim protection granted to him. 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. Accordingly, the present petition is allowed and the order dated 17.10.2025 granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.

5. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd December, 2025

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