

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC:049059



CRM-M-4910-2026 (O&M)

Date of Decision:30.03.2026

MOHIT MALHOTRA @ KAKA KHATRI ... PETITIONER
VERSUS

STATE OF PUNJAB ... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Sumit Dua, Advocate for the petitioner.

Mr. Parneet Singh Pandher, A.A.G., Punjab.

H.S. GREWAL, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail to the petitioner in FIR No.37 dated 05.04.2025 under Sections 109(2), 115(2), 126(2), 351(3), 191(3) and 190 of BNS, 2023 registered at Police Station Division No.2, District Jalandhar.

2. This Court, vide order dated 29.01.2026, had directed that the petitioner shall join the investigation and the petitioner shall be released on interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner was also ordered to abide by the conditions as specified under Section 482(2) BNSS.

3. Learned counsel for the petitioner submits that in compliance of the order dated 29.01.2026 passed by this Court, the petitioner has joined and cooperated with the investigation.

4. Learned State counsel submits that the petitioner has joined the investigation and is not required for custodial interrogation.

5. In view of the statement made by learned State counsel, the petition is allowed and the interim order dated 29.01.2026 is hereby **made absolute**. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

6. However, it is clarified that the investigating authority on addition of an offence or offences may not proceed to arrest the accused/petitioner, but for arresting the accused/petitioner on such addition of offence or offences it needs to obtain an order to arrest the accused/petitioner from the Court which had granted the bail in view of the judgment passed by the Hon’ble Supreme Court in *Sumit Vs State of U.P. and Another*, Criminal Appeal No. 830 of 2026, decided on 09.02.2026.

7. Pending application(s), if any, shall also stand disposed of.

30.03.2026

Janki

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No

(H.S.GREWAL)
JUDGE