



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-5954 of 2026

Date of Decision: 27.04.2026

Pardeep Kumar Sharma alias Pardeep Sharma

... Petitioner(s)

Versus

State of U.T., Chandigarh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Jagjit Singh Sarao, Advocate
for the petitioner(s) [Through Hybrid Mode].

Mr. Manish Bansal, Public Prosecutor,
for U.T. Chandigarh/respondent.

Mr. Abhishek Narang and Mr. Hitender Atri, Advocates
for the complainant.

Surya Partap Singh, J.

1. This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 110 dated 01.08.2024, for the commission of offence punishable under Section(s) 406 & 420 of 'the Indian Penal Code, 1860' and Section 66D of 'the Information Technology Act, 2000' Police Station Mani Majra, U.T. Chandigarh.

2. Vide order dated 03.02.2026, the petitioner was admitted to interim anticipatory bail, subject to the condition of furnishing bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

3. Heard.

4. It has been submitted by learned counsel for the petitioner that in compliance with order dated 03.02.2026, the petitioner has already joined the investigation, and that nothing has been left to be recovered from the possession of petitioner. In view of above, the learned counsel for the petitioner has requested that the order dated 03.02.2026 be made absolute.

5. The learned State counsel, along with learned counsel for the complainant, has controverted the above-mentioned arguments. The learned State counsel, on the instructions from SI Rajesh Kumar, has contended that although the petitioner has joined the investigation, but he did not cooperate, and failed to facilitate recovery of money. As per learned State counsel, in view of above custodial interrogation of the petitioner is necessary.

6. The record has been perused carefully.

7. With regard to fact-situation of this case and the above-mentioned arguments, following are the relevant factors which are supposed to be taken into consideration:-

- i) that the petitioner has already joined the investigation;
- ii) that the petitioner cannot be forced to assist the prosecuting agency for the recovery of incriminating material, which may harm his interests or may amount to defeat his right of defence, as laid down by the Hon'ble Supreme Court of India in the case of "Vinay Kumar Gupta v. State of Madhya Pradesh" [Criminal Appeal No. 939 of 2026, Decided on 16.02.2026];

iii) that nothing significant has to be recovered in this case with the assistance of petitioner, as the money cannot be treated to be a piece of evidence which may be helpful in linking the petitioner with the commission of crime;

8. Keeping in view the aforesaid submissions and the fact that the petitioner has already joined the investigation, it is hereby ordered that the petitioner is entitled for anticipatory bail. Hence, the present petition is hereby **allowed** and the order dated 03.02.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute.

(Surya Partap Singh)
Judge

April 27, 2026
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No