



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-6114 of 2026

Date of Decision: 25.03.2026

Rajbir Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

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

Present: Mr. Parvinder Moar and Mr. Saurav Bhatia, Advocates
for the petitioner(s).

Mr. Ramender Singh Chauhan, Assistant Advocate General,
Haryana, for the respondent.

Surya Partap Singh, J.

1. This petition for pre-arrest 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. 101 dated 14.04.2023, for the commission of offence punishable under Section(s) 34, 328, 304 and 120-B of 'the Indian Penal Code, 1860' Police Station Industrial Area Bhiwani, District Bhiwani, Haryana.

2. Vide order dated 04.02.2026, 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.

3. It has been submitted by learned counsel for the petitioner that

in compliance with order dated 04.02.2026, the petitioner has joined the investigation and therefore, the order dated 04.02.2026 be made absolute.

4. The learned State Counsel has filed reply. The same be taken on record. It has been contended by the learned State counsel, on instructions from 'SI Devender Kumar', that although the petitioner has joined investigation, but he had not cooperated and the source from where he procured medicine has not been disclosed. The learned State counsel has stated that custodial interrogation of the petitioner is required in this case and therefore, the present petition deserves dismissal.

5. The record has been perused carefully.

6. A careful perusal of record shows that in the present case, following are the relevant factors which are necessary to be taken into consideration for a decision:-

- i) that the allegations against the petitioner are for the commission of offence punishable under Section(s) 34, 328, 304 and 120-B of IPC; and
- ii) that the contents of FIR show that no specific role has been attributed to the petitioner. Moreover, it is the settled principle of law 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] that an accused cannot be compelled to incriminate himself during investigation and cooperate with the investigation to be within the boundaries of law.

7. In view of above, the present petition is hereby **allowed**, and the order dated 04.02.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute.

(Surya Partap Singh)
Judge

March 25, 2026
“DK”

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