



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-13311 of 2026

Date of Decision: 29.04.2026

Mohit Sinha

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

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

Present: Mr. Anand Dabas, Advocate
for the petitioner(s).

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

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. 317 dated 09.12.2022, for the commission of offence punishable under Section(s) 420, 467, 468, and 471 of 'the Indian Penal Code, 1860' Police Station Sectors 17 & 18, District Gurugram, Haryana.

2. Vide order dated 12.03.2026, 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 12.03.2026, 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 12.03.2026 be made absolute.

5. The learned State counsel has controverted the above-mentioned arguments. The learned State counsel, on the instructions of 'ASI Mohan Puri', 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 in the present case.

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 defeating 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 no significant evidence is 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;

- iv) that the offence is triable by the Court of Judicial Magistrate;
- v) that the name of petitioner does not figure in the FIR;
- vi) that there is no *prima facie* evidence with regard to receipt of money by the petitioner;
- vii) that the recovery of any relevant document, as a piece of evidence, can be facilitated by issuing a direction to the petitioner to join the investigation on the call of Investigating Officer;
- viii) that the investigation and trial of the case are not likely to be concluded in near future;
- ix) that custodial interrogation of the petitioner is not likely to produce a fruitful result;
- x) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- xi) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

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 12.03.2026, whereby the petitioner was

accorded the benefit of interim anticipatory bail, is hereby made absolute.

(Surya Partap Singh)
Judge

April 29, 2026
“DK”

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