

101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026.PHHC.040488



CRM-M-17748-2025 (O&M)

Date of Decision:16.03.2026

HIMANSHU BALWARIA

... PETITIONER

VERSUS

STATE OF HARYANA

... RESPONDENT

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

Present:- Mr. Shantanu Bansal, Advocate for the petitioner.

Dr. Malvika Singh, D.A.G., Haryana.

H.S. GREWAL, J. (ORAL)

1. Present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.26 dated 15.01.2025 under Section 420 of IPC registered at Police Station Hisar City, District Hisar.

2. This Court, vide order dated 26.05.2025, 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 26.05.2025 passed by this Court, the petitioner has joined and cooperated with the investigation.

4. Learned State counsel submits that although the petitioner has joined the investigation, however, he has not got effected the money which has come in his account.

5. On a query, learned counsel for the petitioner submits that the petitioner has transferred the money to the co-accused.
6. The allegations and counter-allegations of the parties *inter se* are a matter of trial. In view of the fact that petitioner has joined the investigation, the petition is allowed and the interim order dated 26.05.2025 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.
7. 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.
8. Pending application(s), if any, shall also stand disposed of.

16.03.2026

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

(H.S.GREWAL)
JUDGE