

2026 PHHC 072162



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-21909-2026
Date of decision: 8th May, 2026

Sanju Nagpal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

Mr. V.S. Kathpal, Advocate for the complainant.
(through VC)

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks
anticipatory bail in case FIR No. 22 dated 14.02.2026 registered under
Sections 126(2), 304(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short
'BNS') at Police Station City-2, Abohar, District Fazilka.

2. Vide order dated 22.04.2026 passed by this Court, the petitioner
was released on interim bail and was directed to join investigation.

3. Learned State counsel filed status report dated 06.05.2026. The
same is taken on record. He further, on instructions submits that the petitioner
has joined the investigation on 28.04.2026 and got recovered the snatched

2026.PHHC.072162



vehicle as well as the mobile phone of Oppo make. Learned State counsel as well as learned counsel for the complainant have submitted that since the amount of Rs. 12,000/-, alleged to have been snatched from the complainant, has not been recovered and the petitioner has not co-operated with investigation to that extent, hence, the petitioner is not entitled to the concession of bail.

4. So far as the non recovery is concerned, it cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as '*Jagdish Thakkar vs. State of Delhi*', 1992 (3) CCR 2764' and in case titled as '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503. With regard to contention that the petitioner has not co-operated with the investigation, it may be stated that the behavior attributed to the petitioner cannot be considered as an instance of non-cooperation, justifying denial for grant of pre-arrest bail since, an accused, while joining investigation, is not expected to make self incriminating statement under the threat that the State may seek withdrawal of the interim protection granted to him. It is well settled that the purpose of joining investigation is to make oneself available to the investigating agency and to respond to lawful queries and not to compulsorily divulge self-incriminating information. In the instant case, the conduct of the petitioner in appearing before the Investigating Officer and responding to the investigation, satisfies the legal standard of cooperation. Accordingly, the present petition is allowed and the order dated 22.04.2026 granting interim bail to the petitioner is made absolute, subject to compliance

2026.PHHC.072162



of conditions laid down in Section 482(2) of BNSS.

5. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th May, 2026
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No