

CRM-M-24953-2026 (O&M) (1)

2026.PHHC:089872



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(207) CRM-M-24953-2026 (O&M)
Date of decision : 03.07.2026**

AJAY KUMAR ALIAS KASHI ... Petitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Akashdeep Miglani, Advocate for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA, J. (ORAL)

1. 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.59 dated 04.03.2026 registered under Sections 333, 115(2), 118(1), 117(2), 324(4), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short "BNS") at Police Station Division No.6, Ludhiana.

2. Vide order dated 04.05.2026 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 02.07.2026 and on instructions states that the petitioner has joined the investigation on

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15.05.2026. However, custodial interrogation of the petitioner is required to ascertain the role played by each member of the unlawful assembly and the manner in which the assault was executed in furtherance of common object of the accused persons. It is further argued that the petitioner has not cooperated with the investigation. It is, therefore, argued that the petition does not deserve to be allowed.

4. However, with regard to the contention that the petitioner has not cooperated 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. Given the nature of the allegations, the pre trial incarceration of the petitioner is not required. As such, without commenting on the merits of the case and in the circumstances peculiar to this case, the petitioner makes a case for release on pre arrest bail. Accordingly, the petition is allowed and the order dated 04.05.2026 granting interim bail to the petitioner is made absolute subject to the compliance of the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.



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

03.07.2026
Amit Sharma

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