

2026:PHHC:007419



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

207

CRM-M No.56928 of 2025
Date of decision: 20.01.2026

Amandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Balbir Singh Jaswal, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. Status report has been filed. Learned Assistant Advocate General, Punjab has submitted that though the petitioner has joined investigation on 01.11.2025, however, since he did not get effected recovery of the money taken from the complainant and has not cooperated with the investigation. Hence, his custodial interrogation is required and he does not deserve to be extended benefit of anticipatory bail.

2. So far as the non recovery is concerned, mere non recovery of money cannot by itself be a ground for denial of bail as has also been

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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 behaviour 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. In the considered opinion of this Court, the pretrial incarceration of the petitioner is not required. As such, the present petition is allowed and the order dated 09.10.2025, granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

3. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.01.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No