

2026:PHHC:028666



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

107

CRM-M-69363-2025

Date of Decision: 23.02.2026

PRABHDEEP SINGH

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Dinesh Sharma, Advocate for the petitioner.

Ms. Ruchi Sekhri, Addl. A.G., Haryana.

H.S. GREWAL, J. (ORAL)

The instant petition has been filed under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in FIR No.99 dated 11.03.2025 under Sections 109(1), 3(5), 61, 308(2), 111(2), 111(3), 111(4) and 111(6) of BNS, 2023 Section 25 of the Arms Act, 1959 (Sections 63(2) and 25(1-B) added later on) registered at Police Station City Jagadhri, District Yamuna Nagar.

Vide order dated 09.12.2025 passed by a Co-ordinate Bench of this Court, the petitioner was directed to join the investigation as and when required by the Investigating Agency, and upon his doing so, he was ordered to be released on interim bail to the satisfaction of SHO/Investigating Agency.

Learned State Counsel has filed reply today as per which the petitioner has joined the investigation. However, it is contended that the petitioner has not cooperated with the Investigating Agency. Hence, she prayed for dismissal of the present petition.

I have heard the learned counsel for the respective parties and have gone through the documents and other material available on record.

In the latest judgment dated 09.02.2026 passed by Hon'ble the Supreme Court in ***SLP (Crl.) No.20 of 2026*** titled as '***Shally Mahant @ Sandeep Versus State of Punjab***', it has been held as under:

“6. Not answering the questions of the I.O., would not ipso facto mean there is non-cooperation. Hence, we do not propose to go into that aspect and it would suffice to notice that the appellant has appeared before the I.O. pursuant to the interim protection granted.....”

In the present case, it is not the case of prosecution that the petitioner has not at all appeared before the I.O. Rather the sole contention of the learned State Counsel is that the petitioner appeared before the I.O. but did not cooperate in the investigation. Hence, the ratio of law laid down ***Shally Mahant @ Sandeep's case (supra)*** is fully applicable to the facts and circumstances of the present case and, therefore, the instant petition deserves to be allowed.

Consequently, the interim order dated 09.12.2025 passed by this Court is hereby made absolute.

Petition stands allowed accordingly.

FEBRUARY 23, 2026.

Rajender

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No