

2026:PHHC:021322



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

207

CRM-M No.73107 of 2025

Date of decision: 11.02.2026

Sachin

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Aman Pal, Senior Advocate with
Mr. Parveen Kumar Sharma, Advocate and
Mr. Rajinder Kumar, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

Mr. Japandeep Singh Brar, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. Status report has been filed. The petitioner has joined investigation on 21.01.2026. Learned Deputy Advocate General, Haryana has argued that he has not cooperated with the investigation and has not got recovered the stolen goods belonging to the complainant and, therefore, he should not be extended benefit of anticipatory bail.

2. So far as the non recovery is concerned, mere non recovery of stolen goods 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

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‘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. The purpose of joining investigation is to make oneself available to the investigating agency and to respond to lawful queries and not to satisfactorily divulge self incriminating information. 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 23.12.2025, 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.

11.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No