



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-16607 of 2026

Date of Decision: 09.04.2026

Rajiv Kumar alias Mikki

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Arpinder Singh, Advocate
for the petitioner(s).

Mr. Eklavya Darshi, Deputy Advocate General,
Punjab, for the respondent.

Surya Partap Singh, J.

1. This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 56 dated 09.02.2026, for the commission of offence punishable under Section(s) 316(2) and 61(2) of 'the Bharatiya Nyaya Sanhita, 2023' Police Station Mandi Gobindgarh, District Fatehgarh Sahib, Punjab.

2. Vide order dated 25.03.2026, the petitioner was admitted to interim anticipatory bail, subject to the condition of furnishing bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

3. The learned State Counsel has filed compliance report. The



same be taken on record.

4. Heard.

5. It has been submitted by learned counsel for the petitioner that in compliance with order dated 25.03.2026, the petitioner has already joined the investigation, and that nothing has been left to be recovered from the possession of petitioner. In view of above, the learned counsel for the petitioner has requested that the order dated 25.03.2026 be made absolute.

6. The learned State counsel has controverted the above-mentioned arguments. According to the learned State counsel, although the petitioner has joined the investigation, but he did not cooperate, and failed to facilitate recovery of money. As per learned State counsel, in view of above custodial interrogation of the petitioner is necessary.

7. The record has been perused carefully.

8. With regard to fact-situation of this case and the above-mentioned arguments, following are the relevant factors which are supposed to be taken into consideration:-

- i) that the petitioner has already joined the investigation;
- ii) that the petitioner cannot be forced to assist the prosecuting agency for the recovery of incriminating material which may harm his interests or may amount to defeating his right of defence;
- iii) that nothing significant has to be recovered in this case with the assistance of petitioner, as the money cannot be treated to be a piece of evidence to link the petitioner with the commission of crime;



9. Keeping in view the aforesaid submissions and the fact that the petitioner has already joined the investigation, the order dated 25.03.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute. The present petition stands **allowed**, accordingly.

(Surya Partap Singh)
Judge

April 09, 2026
"DK"

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No