



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-21954 of 2026

Date of Decision: 14.05.2026

Akash alias Bhainga alias Maithual

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

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

Present: Mr. Vipin Kumar Sharma, 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. 49 dated 21.03.2026, for the commission of offence punishable under Section(s) 108, 333, 190, 191(3), 324(3) and 351(2) of 'the Bharatiya Nyaya Sanhita, 2023', Police Station Division No. 7, District Police Commissionerate Jalandhar, Punjab.

2. Vide order dated 22.04.2026, 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. Heard.

4. It has been submitted by learned counsel for the petitioner that

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in compliance with order dated 22.04.2026, 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 22.04.2026 be made absolute.

5. The learned State counsel has submitted that although the petitioner has joined investigation, but for further investigation of this case his custodial interrogation is required.

The record has been perused carefully.

7. 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 as laid down by the Hon'ble Supreme Court of India in the case of 'Vinay Kumar Gupta v. State of Madhya Pradesh' [Criminal Appeal No.939 of 2026, decided on 16.02.2026] 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 as per law laid down by the Hon'ble Supreme Court of India in the case of 'Sanjay Sharma v. State of Haryana' [Criminal Appeal No.767 of 2026, decided on 09.02.2026], collection of evidence is the responsibility of the Investigating Officer, and that an accused cannot be compelled to self-incriminate himself;
- iv) that the petitioner has no criminal antecedents;
- v) that the contents of FIR nowhere shows that there was any kind of instigation or abetment to commit suicide by the petitioner;
- vi) that nothing has been left to be recovered from the

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possession of petitioner;

- vii) that the investigation and trial of the case are not likely to be concluded in near future;
- viii) that custodial interrogation of the petitioner is not likely to produce a fruitful result;
- ix) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- x) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

8. Keeping in view the aforesaid submissions and the fact that the petitioner has already joined the investigation, it is hereby ordered that the petitioner is entitled to anticipatory bail. Hence, the present petition is hereby **allowed** and the order dated 22.04.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute. However, till the conclusion of investigation, the Investigating Officer, by issuing notice to the petitioner in writing, shall be at liberty to join the petitioner in the investigation of present case.

(Surya Partap Singh)
Judge

May 14, 2026
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No