



CRM-M-67141-2025

2026:PHHC:062531
-1-

2026:PHHC:062531



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

152

CRM-M-67141-2025

Date of decision: 23rd April, 2026

Joginder Pal Madan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Parminder Singh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Mr. Jasdev Mehndiratta, Senior Advocate with
Ms. Jyotnoor Kaur Sethi, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks
anticipatory bail in case FIR No. 227 dated 07.11.2025 registered under
Sections 316(2), 318(2), 61(2) and 351 of Bharatiya Nyaya Sanhita, 2023 (for
short 'BNS') at Police Station Kotwali Patiala, District Patiala.

2. Vide order dated 01.12.2025 passed by this Court, the petitioner
was released on interim bail and was directed to join investigation.

3. Vide order dated 23.03.2026, the parties were directed to appear
before the Mediation and Conciliation centre of this Court for the purpose of
mediation proceedings.

4. Report received from the Mediation and Conciliation Centre, as
per which the matter could not be settled between the parties. The petitioner



CRM-M-67141-2025

2026:PHHC:062531

-2-

2026:PHHC:062531



has joined the investigation on 03.02.2026. As submitted by learned State counsel, custodial interrogation of the petitioner is not required, whereas learned counsel for the complainant has argued that since the petitioner was the master mind behind the crime and had got forged appointment letters and visas etc. prepared and had sent screenshots of the same to the complainant, hence, for conducting proper and thorough investigation in the matter, custodial interrogations of the petitioner is must. However, given the nature of the allegations, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. It is a well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentence. Taking into consideration the above discussed facts, it is observed that the petition has made out a case for grant of anticipatory bail. Accordingly, the petition is allowed and the order dated 01.12.2025 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

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

6. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd April, 2026

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*