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

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**CRM-M No.41957 of 2025
Date of decision: 17.09.2025**

Mandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Mansur Ali, Advocate and
Mr. Vaibhav Garg, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. Status report has been filed. The petitioner has joined investigation on 09.08.2025 It is, however, submitted by learned Assistant Advocate General, Punjab that the custodial interrogation of petitioner is required for the purpose of facilitating the investigating officer for conducting thorough investigation and for extracting information about involvement of other persons and the petitioner has not extended cooperation in that regard.

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2. This Court, however, does not find any compelling ground to justify the custodial interrogation of the petitioner due to that reason as the well settled proposition of law is that once an accused joins investigation, then only because of the reason that nothing incriminating could be discovered from him would not mean that there is no cooperation on his part. The purpose of joining investigation is to make oneself available to the investigating agency and to respond to lawful inquiries and not to satisfactorily divulge self incriminating information. The allegations against the petitioner are that he had given a false report in the Canadian Court qua service of notice of divorce petition upon the daughter of the complainant. It is a question of debate as to whether the ingredients for commission of offence of forgery or use of forged documents are attracted against the petitioner in this case or not? The conduct of the petitioner in appearing before the Investigating Officer or responding to the investigation, satisfies the legal standard of cooperation. Keeping in view the nature of the allegations, pre trial incarceration of the petitioner is not required. It is well settled that pre trial incarceration should not be a replica of post conviction sentencing. As such, a case is made out for allowing the petition. Accordingly, the present petition is allowed and the order dated 04.08.2025, granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha

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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.

(MANISHA BATRA)
JUDGE

17.09.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No