

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

Crl.Misc.No.M-10314 of 2015(O&M)

Date of Decision : 21.05.2015

Chander Mohan

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.Narender Kumar Vadhera, Advocate for the petitioner

Mr. K.S.Pannu, DAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of pre-arrest bail in terms of Section 438 Cr.P.C in case FIR no. 2 dated 19.4.2014 registered under Section 174-A of IPC at Police Station NRI Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner contended that on an earlier occasion an FIR was registered by the police at Kalanaur where the allegations of interfering in the possession of the complainant were made which were found to be unsubstantiated leading to the filing of a cancellation report. The petitioner even at the time of registration was abroad. Further that the complainant has misused the provisions of law by filing a complaint in the NRI Wing, Mohali for registration of a case under Section 174-A IPC and the petitioner is thus wanted as a proclaimed offender. Further that once he was abroad at the time of registration of FIR, which upon investigation led to a cancellation report, the present proceedings would be a complete abuse of law.

Noticing the aforesaid facts this Court had granted interim

protection to the petitioner vide its order dated 31.3.2015.

The petitioner has since joined investigation to the satisfaction of the Investigating Officer which fact is not controverted by the learned State counsel on instructions from ASI Jagjit Singh.

Thus, without commenting upon the merits of the case but noticing the fact that the petitioner has joined the investigation to the satisfaction of the Investigating Officer, instant petition is accepted. Interim directions dated 31.3.2015 are hereby made absolute, however subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

May 21, 2015
rekha

(Mahesh Grover)
Judge