

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

CRM-M No.24363 of 2015

Date of Decision:-21.09.2015

Om Parkash.

.....Petitioner.

Versus

State of Haryana.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sandeep Singh Jattan, Advocate for the Petitioner.

Mr. R.K. Doon, AAG Haryana.

Mr. Robin Dutt, Advocate for the complainant.

JASWANT SINGH, J (ORAL)

Prayer is for grant of anticipatory bail under Section 438 Cr.PC to the petitioner-Om Parkash in case FIR No.151 dated 12.06.2015 for offence punishable under Section 409 of Indian Penal Code registered with Police Station Naraingarh, District Ambala.

Learned Counsel for the petitioner *inter alia* submits that one Amar Nath Dhingra (retired Vigilance Officer) was inimical towards petitioner on account of his involvement in FIR No.382 dated 25.12.2012 under Sections 353, 506, 189, 186 of IPC got registered by petitioner. In respect of alleged irregularities in work, Competent Authority (XEN) recommended disciplinary action against petitioner. Instead of proceeding against petitioner departmentally, FIR No.192 dated 17.08.2014 under

Section 409 IPC was registered against him in which petitioner was accordingly granted anticipatory bail by a co-ordinate Bench of this Court in CRM-M No.31740 of 2014. Thereafter two more FIRs were registered in respect of allegations involving work point nos.6 & 8.

Learned Counsel contends that these allegations could have been gone into in the earlier FIR by way of undertaking further investigation in terms of Section 173(8) Cr.PC or by providing supplementary challan thereof. The opinion of the separate registration of case on the allegations that offences are distinct is totally uncalled for.

Learned Counsel for the petitioner states that pursuant to the interim directions passed by this Court petitioner has joined the investigation.

Learned State counsel on instructions from SI Zile Singh submits that pursuant to the interim order passed by this court petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above, interim protection/bail granted vide order dated 27.07.2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

September 21, 2015
Vinay