

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

Crl.Misc.No.M-9366 of 2015 (O&M)

Date of decision : 12.5.2015

Rajinder Singh alias Gopi

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.HS Dhindsa, Advocate
for the petitioner.

Mr. KS Pannu, DAG, Punjab.

Mr. RS Bains, Advocate
for respondent No.2.

.....

MAHESH GROVER, J.

Crl.Misc.Nos.15717 & 15718 of 2015

Crl.Misc. are allowed as prayed for.

Amended Memo.of Parties along with reply on behalf
of respondent No.2 is taken on record.

Crl.Misc.No.M-9366 of 2015

This is a petition under Section 438 Cr.P.C. praying for
bail in terms thereof in case FIR No.6 dated 24.2.2014 under
Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police
Station Punjab State Crime, SAS Nagar.

Learned counsel for the petitioner had contended that

earlier a committee was formulated to look into the allegations made by the complainant which delivered its report in the year 2012 and two months thereafter the first FIR was registered on 18.8.2012 pursuant to which the petitioner was arrested and suffered incarceration for a period of two months. The police investigated the matter and submitted a challan to the court of competent jurisdiction. Now on the similar allegations the present FIR has been registered where the petitioner's arrest is warranted. It was contended that once the petitioner has already joined the investigation which has since been concluded, another FIR on the same cause cannot warrant the arrest of the petitioner as he has already submitted all the relevant material before the investigating agency.

Noticing the aforesaid, interim protection was granted to the petitioner on 23.3.2015 subject to his complying with the provisions of Section 438(2) Cr.P.C. It is not in dispute that the petitioner has since joined the investigation.

If that is so, the interim directions dated 23.3.2015 are hereby made absolute subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

Petition allowed.

12.5.2015
dss

(MAHESH GROVER)
JUDGE