

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-13203-2016 (O&M)  
DECIDED ON: August 30, 2016

RINSON

....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. APS Tung, Advocate,  
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab,  
for respondents No. 1 to 3.

Mr. Kawaljot Singh, Advocate,  
for the complainant.

\*\*\*\*\*

**JASPAL SINGH, J (ORAL)**

**CRM-23645-2016**

Allowed as prayed for.

Amended petition is taken on record, subject to all just exceptions.

CRM stands disposed of.

**Main case**

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, Rinson-petitioner has sought pre-arrest bail in case FIR No.24, dated 29.01.2016, under Sections 406, 420, 493, 376 and 354-D IPC, Police Station Ramamandi, Police District Jalandhar City.

2. At the time of issuance of notice of motion vide order dated April 19, 2016, following order was passed by this Court:-

*“Counsel would inter alia contend that on the same set of allegations a complaint had earlier been lodged by the complainant namely Priya Sharma and which was inquired into and a report dated 24.12.2015 at Annexure P-2 was furnished and in which the allegations were found to be false and unfounded. It is contended that the present F.I.R has been lodged on the same very set of allegations and under political pressure. Counsel submits that the petitioner is otherwise ready and willing to join investigation.*

*Notice of motion, returnable for 22.7.2016.*

*In the meanwhile, petitioner is directed to join investigation.*

*In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”*

3. On instructions from ASI Nirmal Kaur, Police Station Ramamandi, learned State counsel has very fairly conceded that the petitioner has already joined the investigation. However, it is submitted by him that various articles, reference of which has been given in the FIR, are still required to be recovered.

4. Since, the petitioner has joined the investigation and the fact that earlier an inquiry was conducted, in which, all the allegations were found to be false, non-recovering of articles, at this stage, is no ground to decline the pre-arrest bail.

5. Taking into consideration the aforesaid aspects of the case but

without expressing any opinion on the merits, the petition is allowed and order dated 19.04.2016 is made absolute but subject to the conditions provided under Section 438 (2) Cr.P.C.

August 30, 2016  
sonika

(JASPAL SINGH)  
JUDGE

Whether speaking/reasoned:                      Yes/No

Whether reportable:                                Yes/No