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

**COCP-2914-2022 (O&M)
Date of decision: 05.01.2023**

Rakesh

... Petitioner

Vs.

Ram Lal and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mrs. Renu Dhull, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for initiation of contempt proceedings against the respondents for violation of the order dated 02.07.2014 passed by the Hon'ble Supreme Court in **Crl. Appeal No.1277 of 2014 (Arnesh Vs. State of Bihar and anr.)**.

Learned counsel for the petitioner submits that without following the procedure under Section 41 Cr.P.C., the petitioner was arrested in FIR No.61 dated 29.03.2021 under Section 136 of Electricity Act and Section 379 IPC, Police Station Titram, District Kaithal. It is further submitted that the petitioner was later on granted bail by the Special Judge (Electricity Act), Kaithal vide order dated 21.09.2022.

A perusal of the order dated 21.09.2022 shows that it was noticed, the petitioner was previously arrested in FIR No.114 dated 03.06 2021 under Section 136 of Electricity Act and Section 379 IPC registered in the same police station, in which he was granted bail on 16.08.2021.

Learned counsel further submits that mother of the petitioner has also filed a Habeas Corpus petition bearing CRWP-7515-2021, which was disposed of on 18.08.2021, by observing that petitioner Rakesh and one Vikram were arrested in FIR No.114 and thereafter, when Krishna Devi and her son Vikram started fighting with the police party, they were implicated in FIR No.375 dated 09.08.2021 registered under Sections 186, 222, 332, 34, 353 IPC. It is observed by this Court, while disposing of the said petition, that it cannot said that detenues are in illegal confinement.

Since the petitioner was arrested in two FIRs in accordance with law, on the face of it, there is no violation of the directions given by the Hon'ble Supreme Court in **Arnesh**'s case (supra).

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

05.01.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No