

CRM-M-63357-2023
Date of decision: 20.03.2024

...PETITIONER

....RESPONDENT

Mr. Avinash Jain, DAG, Haryana.

“Learned Senior Advocate appearing on behalf of the petitioner submitted that is is a case where earlier an FIR was registered against the petitioner at Panipat for the same cause of action bearing FIR No.319 dated 10.05.2022, under Sections 420, 467, 468, 471, 120-B and 201 of the IPC at Police Station Old Industrial, Panipat and the investigation was conducted and the entire record is with the police at Panipat and thereafter, the petitioner was arrested and was released on regular bail by a Coordinate Bench of this Court in CRM-M-28699-2022 on 03.08.2022. He further submitted that the present FIR was lodged later on at District Rewari on the basis of some information received from the Secretary, Education Department pertaining to the same allegations of fabrication of

certificates. He also submitted that earlier also the petitioner had joined the investigation at Police Station Panipat in the earlier FIR in which he has been granted regular bail and in the present FIR also, he is ready and willing to join the investigation. He further submitted that continuation of the present FIR would also amount to double jeopardy.

Notice of motion.

Mr. Vishal Kashyap, DAG, Haryana, accepts notice on behalf of the respondents-State and seeks time to file reply.

Adjourned to 20.03.2024.

In the meantime, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail, subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Today, the learned State counsel on instructions imparted to him by SI Ram Chander, submits that the petitioner has already joined the investigation, and he is fully co-operating with the investigation process, and he is not required for any further custodial investigation.

4. In view of the specific stand taken by the learned State counsel, the present petition is **allowed**, and order dated 16.12.2023 is, hereby, made absolute.

(KULDEEP TIWARI)
JUDGE

20.03.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |