

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

CRM-M-9751 of 2015 (O&M)

Decided on: 15.5.2015.

Rimpy alias Rippy

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. R.P. Dhir, Advocate,
for the petitioner.

Mr. L.C. Aggarwal, AAG, Punjab.

K.C.PURI.J.(ORAL)

This is a petition for grant of anticipatory bail. The earlier bail application was dismissed vide order dated 28.2.2013 passed in CRM M-3051 of 2013.

Learned counsel for the petitioner has submitted that in view of the authority **Sri Sudip Sen vs. The State of West Bengal 2012(7) RCR (Criminal) 12 Calcutta(FB)** the second bail application is maintainable where there is a substantial change of facts and circumstances of the case.

Learned counsel for the petitioner has further submitted that substantial change in the facts of the case is that parties have arrived at a compromise and complainant has made statement in the Court. So, this is a new ground for grant of anticipatory bail.

Learned State counsel has opposed the prayer and has

submitted that it is a non-compoundable offence and as such compromise cannot be allowed.

The argument advanced by learned State counsel carries weight. The offence is not compoundable and as such the second bail application is not maintainable as there is no change of circumstance, the petitioner cannot derive any benefit from the aforesaid authority. Learned counsel for the petitioner wanted to argue on merits but he cannot be allowed at this stage as the matter has already been considered .

So, in view of above, no ground for grant of concession of anticipatory bail is made out. Consequently, the petition stands dismissed.

15.5.2015.
SN

(K.C.PURI)
JUDGE