

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

**CRM-M-42683-2016
Date of decision-30.11.2016**

Gurpreet Singh @ Laddu

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Nandan Jindal, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.186, dated 11.10.2015 registered under Sections 382 and 365 read with Section 34 of the Indian Penal Code (in short 'IPC') and Section 25 of Arms Act and later on added Section 473 and 397 of IPC at Police Station Mataur, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case and he is named in another FIR only on the disclosure statement of the co-accused, on the basis of which earlier bail application was declined. He further submits that the alleged car has already been recovered from co-accused, namely, Yuvraj @ Fateh.

I have heard learned counsel for the petitioner and have gone through the case file.

This is a second bail application. First application was dismissed on merits on 01.09.2016.

There is no straight jacket formula with regard to maintainability of a second application for grant of anticipatory bail. Once an application has been considered and decided on merits, the petitioner would not become entitled to grant of anticipatory bail merely on the basis of further developments in the case. That the petitioner has been granted anticipatory bail in another FIR or that co-accused Harpreet Singh has been granted regular bail by the learned trial court in this case does not *ipso facto* entitle the petitioner for the relief sought. There are serious allegations against the petitioner and no fresh circumstance in his favour is made out.

Consequently, bail application stands dismissed.

(JITENDRA CHAUHAN)
JUDGE

November 30, 2016

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No