

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

**CRM-M-8921-2016
DECIDED ON: May 05, 2016**

NITIN SHARMA

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Rakesh Nagpal, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

Mr. Aman Arora, Advocate,
for the complainant.

JASPAL SINGH, J.

Through this second petition preferred under Section 439 of the Code of Criminal Procedure, Nitin Sharma-petitioner, (now confined in District Jail, Karnal) has sought bail during the pendency of trial, in case FIR No. 336, dated 28.07.2010 (Annexure P-1), under Sections 403, 405 408, 409, 411, 413, 467, 468, 471, 420, 477, 477-A and 120-B IPC, Police Station Model Town, Panipat, District Panipat.

2. Undisputably, earlier, the petitioner preferred a petition under

Section 439 Cr.P.C. seeking regular bail, which was dismissed on merits vide order dated 20.07.2015 by this Court.

3. During the course of arguments, learned counsel for the petitioner could not point out any substantial change in the fact situation after the dismissal of previous petition which entitles him to file a fresh petition except that the petitioner is in custody even after the dismissal of previous petition till date, which otherwise cannot be said to be substantial change in the fact situation. As such, this Court is of the considered view that no case is made out to entertain the second petition for grant of bail.

4. Accordingly, the petition under consideration is dismissed.

May 05, 2016
sonika

(JASPAL SINGH)
JUDGE