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

CRM-M-24315-2017

Date of decision-13.07.2017

Rohit Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Manbir Singh Basra, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.72 dated 17.06.2016 registered under Sections 326-B and 109 of Indian Penal Code at Police Station Dhariwal, District Gurdaspur.

Learned counsel contends that the petitioner has been falsely implicated in the present case. He further contends that the petitioner has no concern with the alleged occurrence and no acid or bottle has been recovered from the spot.

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

The allegations against the petitioner are that he along with his co-accused tried to throw acid on the complainant in order to cause the injury to her. A bare perusal of the FIR reveals that the petitioner has been named in the FIR and specific role has been attributed to him.

This is second bail petition. The first petition for grant of anticipatory bail was dismissed, vide order dated 17.05.2017. Instead of submitting to the process of justice, the petitioner chose to file the second petition for grant of bail under Section 438 of Cr.P.C without there being change of circumstances. As such this petition is not maintainable.

Moreover, keeping in view the alleged participation and specific role, no case for grant of concession of anticipatory bail is made out.

Consequently, bail application stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

July 13, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No