

Crl. Misc. No. M-24919 of 2016

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-24919 of 2016

DATE OF DECISION:08.05.2018

Vishal Goyal

.....Petitioner

Versus

State of Punjab

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Anurag Arora, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Haryana.

Mr. R.N. Lohan, Advocate
for the complainant.

DAYA CHAUDHARY, J.

After hearing the arguments advanced by learned counsel for the parties, it is not disputed that earlier also the petitioner has approached this Court for grant of anticipatory bail by way of filing Crl. Misc. No. M-40825 of 2014, which was dismissed as withdrawn on 25.4.2016 after the detailed findings. Interim order was also ordered to be vacated. Thereafter, the present petition has been filed, wherein, notice of motion was issued only on the ground that some fresh grounds have been raised in the present petition. It has also been brought to the notice of this Court by learned counsel for the complainant that co-accused of the petitioner, namely,

Hemraj Garg and another have approached this Court for grant of

anticipatory bail by way of filing Crl. Misc. No. M-12587 of 2016, which was dismissed on 12.5.2016 by passing a detailed order. Thereafter, co-accused, namely, Hemraj Garg and another also approached Hon'ble the Apex Court by way of filing Special Leave to Appeal (Crl.) No. 4311 of 2016, which was also dismissed on 4.7.2016. The case of the petitioner is similar to that of Hemraj Garg and another and even second petition is not maintainable.

Learned counsel for the petitioner contends that on the basis of interim order passed by this Court, the petitioner has been granted regular bail and challan has also been presented and the case of the petitioner cannot be at par with co-accused, whose petition has been dismissed.

Co-accused of the petitioner, whose bail applications have been dismissed, are still absconding.

In view of the above, no ground is made to confirm the interim bail dated 28.3.2017 passed by this Court. The present petition being devoid of any merit is hereby dismissed.

However, the petitioner is at liberty to move fresh application for grant of regular bail.

May 08, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No