

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 39765 of 2020
Date of Decision: 01.12.2020

Manju

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashish Grewal, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is the second petition under Section 438 Cr.P.C. for grant of pre-arrest bail in case FIR No. 161 dated 27.10.2019 under Sections 306 and 34 IPC registered at Police Station Sadhaura, District Yamuna Nagar.

The first petition seeking anticipatory bail was dismissed on merits by this Court on 09.11.2020. It is a case in which Gulshan has died and a suicide note was found from his pocket and the petitioner has been specifically named in the suicide note by the deceased.

Learned State counsel has relied upon ***Ganesh Raj versus State of Rajasthan and others 2005(3) R.C.R. (Criminal) 30*** wherein it has been held that second or subsequent bail application under Section 438 Cr.P.C. can be filed only if there is a change in the fact-situation or in law which requires the earlier view being interfered with or where the earlier finding has become obsolete.

Keeping in view the above, no ground for grant of anticipatory

bail to the petitioner is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

December 01, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No