

Sr.No.218

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

**CRM-M-40615 of 2020
Date of decision:21.12.2020**

Tarsem @ Semi

... Petitioner(s)

versus

State of Haryana

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in FIR No.406, dated 15.07.2016 registered under Sections 147, 149, 186, 224, 225, 332, 353 IPC and 15/27-A Act No.61 of year 1985 of NDPS Act at Police Station Ratia, District Fatehabad, Haryana.

This is a fourth petition under Section 439 Cr.P.C(although the petitioner has stated it to be fifth). On 15.07.2020 vide Annexure P-7 the petitioner had withdrawn the petition for grant of regular bail with a liberty to seek alternative remedy as may be available to him in accordance with law. Thereafter, on 08.01.2020 vide Annexure P-8 the petitioner filed the petition seeking regular bail was dismissed by this Court by passing a detailed order. Thereafter, on 06.08.2020 another petition was dismissed as

withdrawn vide Annexure P-9.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 30.07.2019, therefore, he may be granted bail on the ground of long custody. While dismissing the bail petition vide Annexure P-8 this Court had passed a detailed order setting forth reasons for dismissal of the petition primarily on the ground that the petitioner had earlier jumped the bail.

On the other hand, learned State counsel has submitted that the present bail petition is not maintainable in view of the fact that it is a fourth bail petition and earlier he had withdrawn two bail petitions, so far as third bail petition was concerned the same was dismissed by passing a detailed order on merits and there is no ground for entertaining the present petition because the petitioner has not been able to show any change of circumstance or any justifiable reason whatsoever. He has further submitted that change in the custody period itself cannot be a ground for entertaining a successive bail petition.

It is a settled law that successive bail applications are certainly maintainable but the same would be maintainable only when there is change of circumstance or when there are other extreme reasons to justify the permissibility to file successive bail petition. In the present case, however, no such circumstance has come forth to permit consideration for successive bail application and present bail application is a fourth bail application filed by the petitioner for regular bail.

In view of the above, no ground is made out for entertaining the present petition and the same is hereby dismissed. However, nothing

stated hereinabove, shall be construed to be an expression on the merits of the case.

21st December, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
Whether Reportable	Yes/No