

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

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CRM-M-2239-2021

Date of decision: 08.04.2021

Kripa Shankar

... Petitioner

Vs.

State of Haryana

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ranjeet K.Jaswal, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL J. (ORAL)

This is the second petition filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.529, dated 21.07.2019 registered under Section 506 IPC, 1860 and Section 6 of POCSO Act, 2012, (charge sheeted under Sections 376, 365, 506 of IPC and Section 4 of POCSO Act, 2012) at Police Station Model Town, District Panipat.

The first petition was dismissed after arguments on 10.08.2020.

Counsel for the parties have been heard.

The petitioner has sought to re-argue the petition within six months of the dismissal of the first petition. Without there being any change in the circumstances, the second petition would be deemed as

seeking review of the earlier judgment, which is not permissible in criminal law as held by the Hon'ble Supreme Court in **Hari Singh Mann Vs. Harbhajan Singh Bajwa (2001) 1 SCC 169; State of Madhya Pradesh Vs. Kajad, 2001 SCC (Criminal) 1520 and State of Maharashtra Vs. Capt.Buddhikota Subha Rao 1989 Supl. (2) SCC 605.**

A person who is accused of offences which are an affront to decency and dignity of women, cannot expect any sympathy from the Court.

Accordingly, this second petition for grant of regular bail to the petitioner is dismissed.

It is clarified that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

08.04.2021

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No