

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-6105 of 2021  
Date of decision: 16.02.2021

Ajay

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Neeraj Saini, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

**SUVIR SEHGAL, J. (Oral)**

The Court has been convened through video conferencing due to Covid-19 pandemic.

This is the second petition for grant of regular bail to the petitioner in FIR No.321 dated 22.07.20220 (Annexure P-1) registered under Section 346 of Indian Penal Code, 1860, ( Section 376 IPC was added later on), at Police Station Kundli, District Sonipat.

The first petition (CRM-M-33713 of 2020) was withdrawn after arguments on 30.10.2020.

Counsel for the petitioner has attempted to re-argue the bail petition. He has not been able to show any change in circumstances or fact-situation which has led to the filing of the present petition within a period of four months of dismissal of first one.

Without there being any change in the circumstances, the second petition would be deemed to be seeking review of the earlier judgment, which is not permissible in criminal law as has been 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**.

It is relevant to mention that 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.

(SUVIR SEHGAL)  
JUDGE

February 16, 2021  
savita

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |