

CRM-M No.6227 of 2021 (O&M)
Date of Decision : 11.02.2021

Aashish Gupta

...Petitioner

Versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Mukul Goyal, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Second petition under Section 438 Cr.P.C. is for grant of pre-arrest bail, the first petition filed before this Court, after dismissal of the petition for pre arrest bail by the learned Additional Sessions Judge, Panipat dated 22.12.2020 by a detailed order, was got dismissed as withdrawn vide order dated 15.01.2021 with liberty to surrender before the learned trial Court and to move an application for regular bail and the learned trial Court having been directed to consider and decide the application for regular bail, when filed as expeditiously as possible.

3. Learned counsel contends that after the withdrawal of the first petition for pre-arrest bail from the High Court on 15.01.2021, the complainant rang up the petitioner and threatened him that he would be taught a lesson, accordingly, the petitioner has an apprehension that he

would be physically assaulted, therefore, the second petition for pre-arrest bail.

4. I have considered the submissions of learned counsel for the petitioner.

5. The petitioner has not invoked the jurisdiction of the learned trial Court for regular bail in terms of order dated 15.01.2021 nor he has taken recourse to seeking protection from the police, on account of alleged threat from the complainant. Apprehension of physical harm on alleged telephonic threat from the complainant, a lady, does not confer a right on the petitioner to file a fresh petition for pre-arrest bail.

6. ***Dismissed.***

(B.S. Walia)
Judge

February 11, 2021
'Rajneesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>