

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

205

**CRM-M-34361-2020
Date of Decision:04.03.2021**

RAM RAJ

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Bhisham Kumar, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

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

This is the second petition filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.43, dated 20.02.2020 registered under Sections 376(2)(N) and 506 IPC, 1860, at Police Station Women NIT, Faridabad, District Faridabad.

The first petition was dismissed after arguments on 10.08.2020.

Counsel for the parties have been heard.

State counsel has pointed out that the statement of the prosecutrix has been recorded in the Court, whereby she has stood by the allegations levelled by her against the petitioner in the FIR.

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.

04.03.2021
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(SUVIR SEHGAL)
JUDGE

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