

223
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1236-2022 (O&M)
Date of Decision: 03.02.2022

Shakti Arora @ Rocky

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ravi Dangi, Advocate, for
Mr. Subhash Kumar, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

CRM-3406-2022

The present application has been filed for withdrawal of the regular bail petition with liberty to file a fresh with better particulars.

No ground is made out in the present application, the same is dismissed.

Main case

This is the third petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 42 dated 06.03.2021, under Sections 379-B, 34, 411 IPC, registered at Police Station Basti Bawa Khel, District Jalandhar, although in the head note of the petition it is stated to be the first petition.

The learned counsel for the petitioner has submitted that a

compromise has been effected between the parties on 04.12.2021 and, therefore, the petitioner may be granted the concession of regular bail.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that the mere fact that a compromise has been effected between the parties would not confer a right upon the petitioner for seeking bail in a successive bail application especially in view of the fact that the petitioner is involved in as many as six cases, out of which two cases pertain to theft, one case under the Gambling Act and the remaining cases under the provisions of IPC. He further submitted that the petitioner is a habitual offender and mere fact of entering into a compromise cannot confer any right of special circumstance to the petitioner for grant of bail. He further submitted that in the present case recovery was effected from the petitioner.

I have heard the learned counsel for the parties.

The earlier bail application was dismissed by this Court on merits in CRM-M-26568-2021 vide order dated 02.08.2021 and thereafter, the second bail application was also dismissed by this Court on 03.11.2021 in CRM-M-42465-2021 which was second successive bail application filed after a period of three months. The present petition has been filed again after a period of two months as the present petition has been filed on 05.01.2022.

In view of the aforesaid position, no ground is made out for entertaining the third successive bail application which is filed after a period two months from the dismissal of the second bail application, therefore, the same is dismissed.

03.02.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking : Yes/No

Whether reportable : Yes/No