

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22015-2022

Date of Decision: 20.05.2022

Chamkaur Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. G.S. Bawa, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present is the second petition filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.77 dated 26.04.2022, under Sections 379, 120-B and 323 IPC and Section 21 of Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Lopoke, District Amritsar Rural.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and earlier he had filed a petition for grant of anticipatory bail alongwith his brother namely Kuldeep Singh which was dismissed as withdrawn on 13.05.2022 in CRM-M-20596-2022. He further submitted that the present petitioner was petitioner No.2 in that case since the main reason for the withdrawal of the earlier petition was that the brother of the petitioner was involved in 7 more cases which was concealed in that petition.

I have heard the learned counsel for the petitioner.

The petitioner alongwith his brother had filed a petition for

anticipatory bail in the same FIR vide CRM-M-20596-2022. On 13.05.2022 the learned counsel for the petitioners withdrew the petition. The order is reproduced as under:-

“It has been pointed out by the learned State counsel that the petitioner No.1 Kuldeep Singh is involved inasmuch 7 more cases and he has concealed this fact from this Court.

The learned counsel for the petitioners has prayed for withdrawal of the present petition.

The request of the learned counsel for the petitioners is accepted.

Dismissed as withdrawn”.

After just 5 days the same petitioner has filed the present petition for grant of anticipatory bail on merits. It is not understandable as to how the present petition after a period of 5 days would be maintainable. The filing of present petition is nothing but an abuse of the process of the law. There is nothing in the arguments raised by the learned counsel for the petitioner or in the petition to show that within these 5 days there has been any change of circumstance or there is any other sufficient reason for filing the second petition.. Had there been some sufficient or cogent reason the same could have been considered by this Court but in the absence of the same, the present petition is not maintainable.

Consequently, the present petition is hereby dismissed.

20.05.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No