

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36310-2022
Date of Decision: 12.09.2022

JAGGA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Chetan Kapoor, Advocate for the petitioner
Mr.Navneet Singh, Senior Deputy Advocate General, Punjab

Deepak Sibal, J. (Oral)

Through CRM-M-53934-2021- Makhan and another vs. State of Punjab the petitioner had earlier approached this Court for the same relief as claimed in the present petition which petition of his was dismissed by this Court on 13.01.2022 through the following order:-

*“Learned counsel for the petitioners seeks to withdraw the present petition.
Dismissed as withdrawn.”*

Admittedly, there is no change of circumstance after the dismissal of the petitioner's first petition filed by him for the same relief as claimed in the present petition.

Through order dated 16.12.2021 passed in Special Leave Petition No.9449 of 2021 – Md.Shamim Khan vs. The State of Jharkhand, the Supreme Court deprecated the practice of filing a second petition under

Section 438 Cr.P.C. without there being any change of circumstance.

In view of the above, this Court is not inclined to grant to the petitioner the relief claimed through the instant petition.

Dismissed.

12.09.2022
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No