

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

(215)

**CRM-M-47187-2022
Date of decision:- 21.12.2022**

Hasan Shah

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Munish Bhardwaj, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 seeking grant of regular bail in FIR No.94 dated 04.04.2020, registered for offence under Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Sector 9-A, Gurugram, Annexure P-1.

Custody Certificate dated 20.12.2022 has been filed by the State, which is taken on record.

Heard counsel for the parties.

First petition seeking regular bail was withdrawn after arguments vide order passed on 31.05.2022. Instant petition has been filed within a few months thereafter. Counsel for the petitioner has not been able to exhibit any change in circumstances or in the factual situation.

In such a scenario filing of subsequent petition would be deemed to be seeking review of the earlier judgment, which is not permissible in criminal law as has been 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.***

Accordingly, the second petition is dismissed.

**(SUVIR SEHGAL)
JUDGE**

21.12.2022

Kamal

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