

CRM-M-48155-2022

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

CRM-M-48155-2022

Date of decision:18.10.2022

Sanjeev Kumar Ahuja

...Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Inderjit Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this second petition, the petitioner seeks anticipatory bail in case FIR No.10 dated 14.01.2022, registered at Police Station Civil Lines, Bathinda, District Bathinda, under Section 420 IPC.

Learned counsel for the petitioner very fairly submits that the first petition i.e. CRM-M-4635-2022 filed by the petitioner, was dismissed on merit on 22.08.2022. However, there is a change of circumstance that the petitioner is now ready to make the payment of Rs.11 lakh or something more, to the complainant, if she agrees.

Notice of motion.

On the asking of this Court, Mr. Subhash Godara, Addl. A. G. Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Gurjeet Singh Kaura, Advocate, puts in appearance and files his power of attorney on behalf of the complainant.

The same is taken on record. However at the outset, he does not agree with

the aforesaid offer made by the learned counsel for the petitioner.

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Learned State counsel and the learned counsel for the complainant opposes the grant of bail to the petitioner on the ground that the first petition of the petitioner was dismissed on merit and there is now no substantial change in circumstance. Moreover, the petitioner has also been convicted in other cases.

I have heard the learned counsel for the parties.

This is the second petition for the grant of anticipatory bail to the petitioner, the first one was dismissed on 22.08.2022, by passing a detailed order. The special leave to appeal filed by the petitioner against the said order dated 22.08.2022, was also dismissed by the Hon'ble Supreme Court on 23.09.2022.

So far as the contention of the learned counsel for the petitioner that he is ready to pay a sum of Rs.11 lakh to the complainant, cannot be considered for the reason that the petitioner had cheated not only the complainant, but also various other gullible persons.

On a specific query put to the learned counsel for the petitioner, he has failed to show any substantial change in circumstance. Moreover, the specious reason of change in circumstances cannot be invoked for successive anticipatory bail application, once it is rejected by a speaking order. Reference may be made to the judgment dated 28.01.2021 delivered by the Hon'ble Supreme Court in SLP (Crl.) No.213 of 2021, titled as 'G.R.Ananda Babu Vs. State of Tamil Nadu & Another'.

In view of the above, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

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Therefore, finding no merit in the present petition, the same is dismissed.

18.10.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No