

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

224

CRM-M-212 of 2022
Date of decision:09.03.2022

Narender

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C seeking grant of regular bail to the petitioner in case FIR No.157 dated 21.08.2020 registered under Sections 22(c), 27-A of [Narcotic Drugs and Psychotropic Substances Act, 1985](#) at Police Station Bhattu Kalan, District Fatehabad (Annexure P-1). The first petition (CRM-M-4582 of 2021) filed by the petitioner was dismissed by this Court by detailed order passed on 21.09.2021.

Custody certificate dated 08.03.2022 has been filed, which is taken on record.

Heard counsel for the parties.

There is no change in the circumstances or in the fact-situation in the last five months nor has it been pointed out by counsel for the petitioner during the course of arguments. Merely because a co-accused has been granted regular bail does not amount to change in the circumstances.

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.

March 09, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No