

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

**CRM-M-51358-2022
Date of decision:-9.11.2022**

Sanjay Talwar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Yagyaang Ajay, Advocate
for the petitioners.

H.S. MADAAN, J.(ORAL)

This third petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioners Sanjay Talwar and Davinder Singh Gill, both of them being accused in FIR No.39 dated 30.3.2021, under Section 306 IPC (Sections 420, 465, 468, 471 and 120-B IPC added later on), registered with Police Station City, Moga, District Moga.

The first petition bearing CRM-M-16070-2021 filed by the petitioners was dismissed vide a detailed order dated 27.4.2021, copy of that order is available on record as Annexure P8 and the second petition bearing CRM-M-38411 of 2022 filed by the petitioners was withdrawn by counsel for the petitioners on 2.9.2022 and it was dismissed as withdrawn, copy of that is available on record as Annexure P9.

Hon'ble Apex Court in judgment **G.R. Ananda Babu**
Versus The State of Tamil Nadu & Anr. arising out of SLP(Crl.)

No.213 of 2021 has observed as under:

“As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (respondent No.2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge.”

Therefore, the present petition is not maintainable.

Learned counsel for the petitioners states that he be permitted to withdraw the present petition at this stage.

Permission is granted.

Dismissed as withdrawn.

However, it is observed that if the petitioners approach this Court again with a similar petition that would be dismissed with exemplary costs.

9.11.2022
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No