

107 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13169-2023 (O&M)
DATE OF DECISION:-16.03.2023

Bhag Singh

...Petitioner.

Vs.

State of Punjab

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Dr. RAU P.S. Girwar, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr.DAG, Punjab,
for respondents No.1 to 6-State.

Mr. A.K. Garg, Advocate,
for the complainant.

HARKESH MANUJA, J. (Oral)

Prayer in this second petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.102, dated 17.12.2022, under Sections 420, 406, 120-B IPC, Police Station Nayagaon, District SAS Nagar.

Earlier, similar prayer was made vide CRM-M-4447-2023, which was not pressed by the petitioner and was thus, dismissed being not pressed vide order dated 30.01.2023 and the same is reproduced hereunder:-

“Mr. Anil Kumar Garg, Advocate has put in appearance on behalf of the complainant.

After arguing for some time, learned counsel for the petitioner submits that he does not intend to press the present petition.

In view of the above, the present petition is dismissed as not pressed.”

By way of present second petition, similar prayer has been made

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while submitting that in the interregnum period, one of the co-accused, namely, Som Nath has been granted the concession of regular bail by the court of learned Additional Sessions Judge, SAS Nagar (Mohali) (Annexure P-9). The order granting regular bail in favour of one of co-accused cannot be taken to be a change in circumstances for the purpose of entertaining the second anticipatory bail petition filed at the instance of the petitioner. Thus, the present petition being not maintainable is dismissed.

16.03.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No