

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.105)

CRM-M No. 26333 of 2023

Date of decision : 26.05.2023

Vipan Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gurdeep Singh Nehra, Advocate for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) This is the second petition filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.04 dated 06.01.2023 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station City-2, Mansa, District Mansa.

(2) The first petition by the petitioner before this Court seeking therein anticipatory bail was **CRM-M No.4955 of 2023 – Vipan Kumar Vs. State of Punjab** which, on the request made by learned counsel appearing for the petitioner, was dismissed on 10.03.2023 through the following order:-

“Learned counsel for the petitioner seeks to withdraw the present petition.

Dismissed.”

(3) Through the instant petition, the petitioner has again approached this Court for the relief which he could not secure earlier.

(4) Admittedly, there is no change in circumstance after the passing of the afore-referred order of this Court.

(5) Through its order dated 16.12.2021 passed in *Special Leave Petition No.9449 of 2021 - Md.Shamim Khan Vs. The State of Jharkhand*, the Supreme Court has deprecated the practice of filing of consequent petitions under Section 438 Cr.P.C. after the rejection of earlier ones without there being any change in circumstance.

(6) Dismissed.

26.05.2023

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No