

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.105)

CRM-M No. 26498 of 2023

Date of decision : 25.05.2023

Palwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Aman Raj Bawa, 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.211 dated 11.09.2022 registered under Sections 307, 323, 148 and 149 IPC and Section 25 of the Arms Act at Police Station Gate Hakima District Amritsar.

(2) The first petition by the petitioner before this Court seeking therein anticipatory bail was **CRM-M No.373 of 2023 – Palwinder Singh Vs. State of Punjab** which, on the request made by learned counsel appearing for the petitioner, was dismissed as withdrawn on 06.01.2023 through the following order : -

The arguments raised on behalf of the petitioner having not received a favourable response from the Bench and not to invite a decision on merits lest it may prejudice the case of the petitioner at a later stage, learned counsel for the petitioner seeks to withdraw the present petition.

Permitted to do so.

Dismissed as withdrawn.”

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

(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.

25.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No