

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.102

CRM-M-28387-2023

Date of decision: 02.06.2023

Gurjant Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.S. Thakur, Advocate
for the petitioner.

Mr. Navneet Singh, Sr. 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.55 dated 15.12.2022 registered under Sections 353, 186, 332, 224, 225, 148 and 149 IPC at Police Station Fatehgarh Panjtoor, District Moga.

2. The first petition by the petitioner before this Court seeking therein anticipatory bail was CRM-M No.4698 of 2023 – Gurjant Singh Vs. State of Punjab which, on the request made by learned counsel appearing for the petitioner, was dismissed as withdrawn on 15.02.2023 through the following order : -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Dismissed as withdrawn.”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.

June 02, 2023
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No