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

\*\*\*\*

CRM-M-54946-2023

Date of Decision: 03.11.2023

Sachpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Pardeep Singh Mirpur, Advocate,  
for the petitioner.

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**JASGURPREET SINGH PURI, J. (ORAL)**

1. The present is a second petition filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.53, dated 29.05.2023, under Sections 323, 307, 506, 148, 149 of the IPC and Section 201 IPC added later on, registered at Police Station Mehatpur, District Jalandhar.

2. Learned counsel for the petitioner submitted that this is a second petition for grant of anticipatory bail and earlier petition was filed by the petitioner which was withdrawn by the petitioner on 11.08.2023. He further submitted that the earlier bail petition was filed by some other counsel and he withdrew the same but the petitioner is entitled for grant of anticipatory bail on merits because it is a good case for grant of bail. He also submitted that the petitioner was only a labourer and has been falsely implicated in the present case and may be considered for grant of anticipatory bail.

3. On the other hand, Mr. Ramdeep Partap Singh, Senior DAG, Punjab has submitted that the present petition is not maintainable in view of the fact that the earlier petitioner had approached this Court and filed a petition for grant of anticipatory bail which he himself withdrew on 11.08.2023 and submitted that even if the present petition has been filed by a different counsel that would not vest any right on the petitioner for filing of a successive petition for grant of anticipatory bail in view of law laid down in Hon'ble Supreme Court in "*G.R. Ananda Babu Versus State of Tamil Nadu and another*" [2021(1) RCR (Criminal) 843] and submitted that the present petition is not maintainable and there is no special circumstance stated by the petitioner for entertainment of the present petition.

4. I have heard the learned counsels for the parties.

5. Earlier the petitioner approached this Court by filing a petition for grant of anticipatory bail and the following order was passed on 11.08.2023:-

*"After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition.*

*Dismissed as withdrawn."*

6. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case because he was only a labourer and had no interest in the dispute and there is a two days' delay in lodging of the FIR and therefore, he may be considered for grant of anticipatory bail.

7. The Hon'ble Supreme Court in *G.R. Ananda Babu's case (supra)* observed as under:

*“7. 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”.*

8. Thereafter again the Hon’ble Supreme Court reiterated the same in *SLP No.9449 of 2021* titled as “*Mohd. Shamin Khan Vs. State of Jharkhand*”.

9. In the present case, the petitioner had filed a petition for grant of anticipatory bail earlier which he had withdrawn after arguing for some time. In the present successive bail petition for grant of anticipatory bail, no special or strong or any exceptional circumstances have been shown by the learned counsel for the petitioner except the fact that the earlier bail petition was filed by some other counsel, who had withdrawn it.

10. In view of the aforesaid judgments of the Hon’ble Supreme Court, this Court is of the view that the present petition is not maintainable and therefore, the same is hereby dismissed.

11. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

03.11.2023

*Bhumika*(JASGURPREET SINGH PURI)  
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |