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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13928-2024(O&M)

Date of Decision: 18.03.2024

Jeet Ram

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Jaideep Verma, Advocate, for the petitioner.

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.37 dated 18.01.2022, under Section 18 of NDPS Act (Sections 27A and 29 of NDPS Act added later on), registered at Police Station Thanesar Sadar, District Kurukshetra.

2. Learned Senior Counsel for the petitioner has argued that although the earlier bail petition was dismissed on merits but there were some documents which were not in possession of the petitioner which can now be considered at this stage. He also submitted that the aforesaid order by which the anticipatory bail petition was dismissed by this Court was assailed by the petitioner before the Hon'ble Supreme Court and vide Annexure P-5, the SLP was also dismissed.

3. I have heard the learned Senior Counsel for the petitioner.

4. The petitioner had earlier filed a petition for anticipatory bail which was dismissed by this Court vide Annexure P-4 on 25.02.2022 by passing a detailed order on merits. The Hon'ble Supreme Court in ***G.R. Ananda Babu Versus State of Tamil Nadu and another [2021(1) RCR (Criminal) 843]*** has held that once the High Court has dismissed the bail petition on merits, then unless there are exceptional circumstances the High Court should not consider the bail petition on merits. The relevant portion of the aforesaid judgment is reproduced 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”.

6. This Court is of the view that the learned Senior Counsel for the petitioner has not been able to make out any case for falling under the exceptional category and since the earlier bail petition was dismissed on merits, this Court does not deem it fit and proper to interfere in the present petition and the same is hereby dismissed.

18.03.2024

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No