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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16631-2024
Date of decision: 10.04.2024

HARPHOOL SINGH @ BHARPOOR SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. V. K. Sandhir, Advocate for the petitioner.

Mr. Adeshwar Singh Pannu, AAG, Punjab.

Mr. Vaibhav Narang, Advocate for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.122 dated 23.05.2021, under Sections 307, 120-B, 148, 149 of the IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Chattiwind, Amritsar, Punjab.
2. Learned counsel for the petitioner submitted that earlier the petitioner had filed a regular bail petition bearing No.CRM-M-58903-2023 before this Court, which was dismissed by passing a detailed order on 28.11.2023. He further submitted that at that point of time, the custody of the petitioner was 3 months and now it is about 8 months and therefore, he may be considered for the grant of regular bail.

3. Mr. Adeshwar Singh Pannu, AAG, Punjab submitted that the petitioner has preferred the second successive regular bail petition after a period of about 5 months and there is no change of circumstances and even otherwise also, the earlier regular bail petition was dismissed by this Court on the ground that the petitioner was declared as a proclaimed offender on 22.11.2022 and thereafter, he was arrested on 16.08.2023, which rather delayed the entire trial and therefore, the present petition may be dismissed.

4. After hearing learned counsel for the parties, this Court is of the view that the petitioner has filed the second successive regular bail petition after a period of about 5 months after the dismissal of the earlier regular bail petition on merits and no change of circumstances has been shown in this regard.

5. Consequently, the present petition is dismissed.

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

10.04.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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