



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

234

CRM-M-24041-2024**Date of decision: May 20, 2024**

GAURAV CHHABRA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

1. The instant petition is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.218 dated 28.12.2018 under Sections 420, 120-B of the Indian Penal Code, 1860, registered at Police Station City-1 Abohar, District Fazilka.

2. At the outset, a pointed query was directed at the petitioner regarding the material change in circumstances following the dismissal of his previous petition under Section 439 of the Cr.P.C. on merits, on 15.01.2024, to which, it was submitted that he had been acquitted in 7 of the 23 other criminal cases registered against him. Furthermore, it was submitted by the learned counsel for the petitioner that the petitioner had been in custody for almost 1 year and 9 months without the trial concluding. Therefore, he deserved to be extended the concession of bail.

3. *Per contra*, learned State counsel, has opposed the prayer made by the counsel opposite, by submitting, on instructions, that the trial is proceeding at a reasonably good pace, with prosecution witnesses regularly appearing before the learned trial Court and supporting the case against the petitioner. Learned State counsel has urged that the petitioner has been repeatedly abusing the concession of bail given to him in various criminal cases registered against him, and even the present case was registered against him while he was out on bail, the prayer of the petitioner be not accepted.



4. I have heard learned counsel for the parties and perused the relevant material placed on record.
5. Given the aforementioned facts and circumstances, there is a significant likelihood that the petitioner could engage in similar offences or tamper with evidence, if released on bail. Furthermore, the previous petition filed by the petitioner was dismissed on its merits, considering his involvement in multiple criminal cases. There are serious allegations against the petitioner, and he has failed to present any substantial change in circumstances, that would justify the acceptance of the present petition, especially given that the previous petition was dismissed on merits.
6. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner.
7. Accordingly, the instant petition stands dismissed.
8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
9. The learned trial Court shall make earnest efforts to conclude the trial expeditiously.

May 20, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No