



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

**CRM-28264-2024 in/and
CRM-M-32373-2024
Date of Decision : 30.07.2024**

JASWINDER SINGH @ KALA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Prateek Pandit, Advocate for the applicant/petitioner.
Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

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1. Through the instant application, prayer is made for grant of interim bail to the petitioner for a period of one month to take care of his wife, who is suffering from advanced stage of rectal cancer.

2. With the consent of the learned counsel for the parties concerned, the main case is taken on Board today itself.

3. This is the second petition filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.6 dated 17.2.2023, under Sections 302, 379, 34 IPC and under Sections 4(1) and 21(1) of Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station SAS Nagar (Mohali).

4. Notice was issued to the respondent-State.

5. During the course of hearing, short reply dated 29.07.2024, by

way of an affidavit of Mr. Vaibhav Chaudhary, ACP, Sub-Division Dera



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Bassi, District SAS Nagar, and also a custody certificate *qua* the applicant/petitioner, have been filed, by the learned State counsel today in Court, which are taken on record, with copies thereof supplied to learned counsel for the applicant/ petitioner.

6. What reflects from the perusal of the record is that the petitioner has earlier preferred CRM-M-61837-2023 seeking same relief of regular bail, however the same was dismissed as withdrawn, vide order dated 22.03.2024 and without awaiting the progress of the trial, the instant petition has been filed within 04 months by the petitioner.

Main case

7. Since the earlier petition preferred by the petitioner has been dismissed as withdrawn vide order dated 22.3.2024, therefore, in the opinion of this Court, no new ground has come up for grant the relief of regular bail to the petitioner, at this stage. Therefore, the instant petition is **dismissed**, however, with liberty to the petitioner to move appropriate motion before the learned trial Court concerned seeking the relief of interim bail on the same cause of action.

July 30, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No