



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

(Sr. No.101)

CRM-M No. 40765 of 2024

Date of decision : 30.08.2024

Balvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Shubham Bhardwaj, Advocate and
Ms. Varda, Advocate for the applicant-petitioner.

Mr. Amit Kumar Goyal, Addl. A. G., Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) This is the third successive petition filed by the petitioner seeking anticipatory bail in FIR No.0322 dated 17.08.2019 registered under Sections 420/34 IPC, at Police Station City Barnala, Distt. Barnala.

(2) The first petition filed by the petitioner for the same relief claimed through the instant petition being CRM-M No.13245 of 2021 - Balvir Singh Vs. State of Punjab was dismissed by this Court on 06.04.2021 through the following order :-

*“The matter has been taken up through video conferencing.
Learned counsel appearing for the petitioner seeks to
unconditionally withdraw the present petition.
Dismissed as withdrawn.”*



(3) Without there being any change in circumstance the petitioner again approached this Court for the same relief through CRM-M No. 35209-2021- Balvir Singh Vs. State of Punjab which was also dismissed on 07.09.2021 through the following order :-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.322 dated 17.08.2019 registered under Sections 420, 34 IPC at Police Station City Barnala, District Barnala.

Through CRM-M-13245-2021- Balvir Singh vs. State of Punjab the petitioner had earlier approached this Court for the same relief as claimed in the present petition which petition of his was dismissed by this Court on 06.04.2021 through the following order:-

*“Learned counsel for the petitioner seeks to unconditionally withdraw the present petition.
Dismissed as withdrawn.”*

Admittedly, there is no change of circumstance after the dismissal of the petitioner's first petition filed by him for the same relief.

Dismissed.”

(4) As noticed earlier, this is the third petition filed by the petitioner seeking the same relief which has been denied to him twice over. Admittedly, as on date, there is no change in circumstance after the dismissal of the earlier two petitions filed by the petitioner for the same relief.

(5) Through its order dated 16.12.2021 passed in ***Special Leave Petition No.9449 of 2021 - Md. Shamim Khan Vs. The State of Jharkhand***, the Supreme Court has deprecated the practice of filing of subsequent petitions for anticipatory bail after the rejection of earlier ones without there being any change in circumstance.



(6) Dismissed.

(7) On 23.08.2024, while adjourning the case to today affidavit of S.S.P., Barnala had been sought with regard to the efforts made by the police to arrest the petitioner after dismissal of his earlier two petitions which was about three and a half years ago. The same is not being filed.

(8) Let S.S.P., Barnala appear before this Court on 04.10.2024 to explain the delay in arrest of the petitioner and as to why no proceedings were initiated against him to declare him a proclaimed offender.

30.08.2024

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No