



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110

CRM-M-6212-2025

Date of decision: 03.02.2025

Rajinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K.S. Minhas, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition is the second one filed by the petitioner seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0098 dated 01.08.2024 under Sections 409 and 420 of the IPC and Section 7 of the Prevention of Corruption Act, 1988 registered at Police Station Sadar Nawanshahar, District SBS Nagar. A similar prayer was previously considered and dismissed on merits by this Court vide a detailed order dated 07.01.2025 annexed as Annexure P-10.

2. At the outset, learned counsel for the petitioner was specifically asked to explain the maintainability of this petition, particularly when it has been filed within a month of the earlier dismissal. In response, learned counsel has submitted that subsequent to the dismissal of the previous petition of the petitioner, some co-accused have been granted the concession of interim bail, and therefore, the petitioner also deserves the similar relief.

3. I have heard learned counsel for the petitioner and perused



CRM-M-6212-2025

the relevant material on record.

4. The earlier prayer of the petitioner for grant of anticipatory bail was declined by this Court after due consideration of the merits. The learned counsel for the petitioner has failed to demonstrate any material change in circumstances that would justify reconsideration of the present prayer.

5. The mere fact that some co-accused have been granted interim bail cannot, by itself, be a ground to extend the same relief to the petitioner. The circumstances of those co-accused are distinguishable:

(i) one of the co-accused Rakesh was granted interim bail as his role was limited to signing a report prepared by none other than the petitioner, who, *prima facie*, appears to be one of the principal accused in the case; and

(ii) another co-accused Balwinder Singh was extended interim bail on the ground that no role was attributed to him during the inquiry. However, the petitioner cannot seek parity as there is a specific role attributed to him during inquiry.

6. Furthermore, the co-accused have been granted only interim bail, which is yet to be confirmed and remains subject to the submissions made by the State on the next date of hearing. The mere grant of interim protection to certain co-accused does not amount to a material change in circumstances warranting reconsideration of the prayer of the petitioner for anticipatory bail.

7. In view of the foregoing, the present petition is dismissed.



CRM-M-6212-2025

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.

03.02.2025

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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