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

CRM-M-10060-2025

Date of decision: 21.02.2025

Poonam Diwan**.....Petitioner****versus****State of Haryana and another****..... Respondents****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ*********

Present :- Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

*********RAJESH BHARDWAJ, J.**

1. This is the third petition filed by the petitioner praying for grant of anticipatory bail to the petitioner in case FIR No.219 dated 26.03.2021, under Sections 406, 420, 467, 468, 471, 506 and 120-B of IPC, 1860, registered at Police Station Karnal City, District Karnal, Haryana.

2. As per the facts of the case, the petitioner was prosecuted in the abovesaid FIR. She approached the Court of learned Sessions Judge, Karnal praying for grant of anticipatory bail. However, after hearing both the sides, learned Sessions Judge, Karnal declined the same vide his order dated 16.12.2021. Thereafter, petitioner approached this Court by way of filing CRM-M-5348-2022 but this petition was allowed to be dismissed as withdrawn vide order dated 04.04.2022 with liberty to file a fresh one with better particulars. Thereafter, petitioner filed another petition i.e. CRM-M-15335-2022 however, after arguing for some time, the same was dismissed as withdrawn vide order dated 19.04.2022. Now petitioner is before this Court by way of filing the present third petition.

3. Learned counsel for the petitioner has emphasized that the present petition is maintainable as co-accused Palak Diwan was granted anticipatory bail by this Court vide order dated 02.12.2022 i.e. after the dismissal of her bail vide order dated 19.04.2022. He thus, submits that the present petition is maintainable.

4. After hearing counsel for the petitioner and perusing the record, this Court finds that the petitioner had earlier approached this Court by way of filing petition i.e. CRM-M-5348-2022 but the same was withdrawn vide order dated 04.04.2022 with liberty to file afresh. Thereafter, she again approached this Court by way of filing CRM-M-15335-2022 however, when this petition was heard by this Court the same was allowed to be dismissed as withdrawn vide order dated 19.04.2022 by passing the following order:-

“After arguing for some time, when this Court was not inclined to grant any relief to the petitioners, learned counsel for the petitioners prays for withdrawal of the present petition, at this stage.

Dismissed as withdrawn, at this stage”.

5. As is evident, learned counsel for the petitioner was heard by this Court on merits. However, when this Court was not inclined to grant any relief, the petition was withdrawn. The main thrust of the petitioner is that thereafter co-accused Palak Diwan was granted anticipatory bail by this Court. However, on asking why this petition has been filed after about 03 years when the cause of action as contended before this Court had accrued to him on 02.12.2022, he failed to give any plausible answer. This Court cannot ignore the fact that the prayer made by the petitioner is for the grant of anticipatory bail which is an extraordinary jurisdiction of this

Court.

6. Thus, this Court does not find any ground to entertain the present petition and hence, the same is hereby dismissed.

21.02.2025
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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