



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

**CRM-M-31279-2025
Date of decision: 11.07.2025**

DALIP SINGH

...Petitioner(s)

VERSUS

U.T. CHANDIGARH

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Durga Dutt Sharma, Advocate for the petitioner.

Mr. Manish Bansal, P.P., U.T., Chandigarh.

JASGURPREET SINGH PURI, J. (Oral)

1. The present is a second petition filed under Section 482 of the BNSS, 2023 for the grant of anticipatory bail to the petitioner in FIR No.146 dated 15.12.2023, under Sections 307, 354, 201 of the IPC and Sections 25, 54, 59 of the Arms Act, 1959, registered at Police Station Sector-26, Chandigarh.

2. Learned counsel for the petitioner submitted that the present is a second successive anticipatory bail petition filed by the petitioner and the earlier anticipatory bail petition was dismissed on merits by a Coordinate Bench of this Court on 02.05.2024 vide Annexure P-5. He further submitted that the reason as to why the petitioner has filed the present second successive anticipatory bail petition is that there is change in circumstance because the victim has not supported the prosecution version and therefore, the present second successive anticipatory bail petition is maintainable.

3. On the other hand, Mr. Manish Bansal, P.P., U.T., Chandigarh submitted on instructions from SI Ashwani Kumar, who is present in the Court



that it is a case where the petitioner has been absconding and even warrants of arrest have been issued against him and otherwise also, the present anticipatory bail petition is not maintainable being a second anticipatory bail petition. He further submitted that when the petitioner had earlier filed a petition for grant of anticipatory bail then the same was dismissed on merits by a Coordinate Bench of this Court on 02.05.2024 vide Annexure P-5.

4. I have heard the learned counsels for the parties.

5. It is a case where the present is a second successive bail petition filed by the petitioner for grant of anticipatory bail and the earlier anticipatory bail petition was dismissed on merits by a Coordinate Bench of this Court on 02.05.2024 vide Annexure P-5. Learned Public Prosecutor for U.T., Chandigarh submitted on instructions that even warrants of arrest have been issued against the present petitioner. The reason which has been so stated by the learned counsel for the petitioner for filing the present second successive anticipatory bail petition is that there is change in circumstance as the victim has not supported the prosecution version. The law with regard to as to whether the second successive anticipatory bail petition is maintainable or not is no longer *res integra*. Hon'ble Supreme Court in **G.R. Ananda Babu versus The State of Tamil Nadu and another, [2021(1) RCR (Criminal) 843]** held that once an anticipatory bail petition has been dismissed on merits by a Court then the second anticipatory bail petition is not maintainable unless there are strong and specious reasons for entertaining the same.

6. The relevant portion of the aforesaid judgment of Hon'ble Supreme Court in **G.R. Ananda Babu's case (supra)** is reproduced as under:-



“7. As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (respondent No.2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge”.

7. In another judgment passed by Hon’ble Supreme Court in **State of M.P. versus Pradeep Sharma, 2014(2) SCC 171** it was held that once warrants of arrest have been issued against the accused person then anticipatory bail petition would normally not lie. In the present case, the only ground which has been stated by the learned counsel for the petitioner is that the victim has not supported the prosecution version at the time of trial, whereas it was the case of learned Public Prosecutor for U.T., Chandigarh that the petitioner had been absconding for more than 1½ years and warrants of arrest have been issued against him. The aforesaid reason for filing the present second successive anticipatory bail petition is not a strong and cogent reason for entertaining the same.

8. Therefore, this Court is of the considered view that the present petition is not maintainable and the same is hereby dismissed.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

11.07.2025
Chetan Thakur

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