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

201

CRM-M-36394-2025 (O&M)

Date of decision: 29.10.2025

Saroop Singh**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Harpreet Singh, Advocate and
Mr. Harmanpreet S. Mander, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. Karan Sachdeva, Advocate
for the complainant/respondent No. 2.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition that has been filed by petitioner under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of anticipatory bail to him in case arising out of FIR No. 93 dated 24.05.2024, registered under Sections 406, 420 and 120-B of IPC at Police Station Sadar Nabha, District Patiala. The previous petition was dismissed by this Court on 23.05.2025.

2. Vide order dated 23.09.2025, passed by this Court, a submission was made by learned counsel for the petitioner as well as learned counsel for the complainant that there were chances of an amicable settlement between the parties. In view thereof, the matter was referred to Mediation and Conciliation Centre of this Court. Both the parties appeared before the

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Mediation and Conciliation Centre of this Court and the inter se dispute has been resolved amicably, vide settlement/agreement dated 27.10.2025, according to which, the petitioner has agreed to pay a sum of Rs.36 Lakhs as full and final settlement to the complainant/respondent No. 2.

3. Learned counsel for the petitioner has submitted that the matter stands amicably settled between the parties with the able assistance of Ms. Tulika Jain, Mediator. In terms of the conditions laid down in the aforesaid settlement/agreement, the petitioner has already handed over a cheque of Rs.12 Lakhs as first installment to the complainant. Learned counsel for the petitioner has further submitted that these facts amount to substantial change in the circumstances which entitle the petitioner to seek benefit of anticipatory bail as no useful purpose would be served by detaining him into custody in the given circumstances. Hence, it is urged that the petition deserves to be allowed.

4. Learned counsel for the complainant/respondent No.2 has affirmed the factum of a compromise having arrived at between the petitioner and the complainant and that in terms of the same, the petitioner had given a cheque of Rs.12 Lakhs to the complainant as first installment of the full and final amount agreed to be paid to him.

5. However, learned State counsel has opposed the prayer of the petitioner on the grounds that the allegations against him are serious and has prayed for dismissal of the petition.

6. This Court has heard the submissions made by the parties.

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7. The first petition bearing number ***CRM-M-45587-2024*** has been dismissed by passing a detailed order on 23.05.2025. The present one has been filed with a plea that there were some chances of an amicable settlement between the parties, which in fact has been materialized in the Mediation and Conciliation Centre of this Court. The issue regarding maintainability of the subsequent/successive anticipatory bail petition, after dismissal of the previous one, has been considered by the Division Bench of this Court in ***Manjinder Kaur vs State of Punjab, CRM-M-40916-2022, decided on 30.01.2023***, wherein it has been held as under :-

“.... the second/subsequent bail application under Section 438 Cr.P.C. would be maintainable only if there is substantial material or substantive change in the fact situation and circumstances of the case due to subsequent events or in law.”

8. A bare reading of abovementioned observations would manifest that once the first bail petition has been dismissed on merits by passing a speaking order, then the second or subsequent/successive anticipatory bail petitions would be maintainable only if there is substantial change in the circumstances of the case due to subsequent events or in law. In the present case, although the first petition moved by the petitioner for grant of anticipatory bail was dismissed by this Court, however, subsequently the parties, on being referred by this Court to Mediation and Conciliation Centre of this Court, have resolved their dispute amicably and the petitioner has partly complied with the terms of the settlement and is willing to abide by the rest of the conditions agreed upon therein. This change can be termed to be a

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substantial change in circumstances after dismissal of the first petition, which entitled the petitioner to seek grant of anticipatory bail. In view thereof, this Court is of the considered opinion that the custodial interrogation of the petitioner is not required. Accordingly, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the compliance of conditions envisaged under Section 482(2) of BNSS. He is directed to appear before the Investigating/Arresting Officer to join investigation within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction.

9. The parties shall remain bound by the terms and conditions of the above mentioned settlement/agreement.

10. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

29.10.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No