

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29284-2018 (O&M)

Date of Decision:- 24.7.2018

Akash Masih

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Ravinder Kaur Manaise, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.82 dated 14.5.2018 under Section 380 IPC, Police Station City Batala, Gurdaspur.

The FIR in the present case was lodged at the instance of Balwinder Singh wherein he alleged that on 5.12.2017 he had gone on his motorcycle bearing registration No.PB-21-D-4232 to Samadh Road, Batala City and had parked his motorcycle in Sheetla Mandir, Samadh Road but on coming back he could not find his motorcycle. It was subsequently upon seeing CCTV footage that he came to know that his motorcycle had been stolen by Baljit Singh @ Siddi and Akash Masih.

Notice of this application was issued to State.

Learned counsel for the petitioner has submitted that in the present case the petitioner has been falsely implicated and that the FIR is highly belated having been lodged 5 months after the alleged occurrence.

On the other hand, learned State counsel, upon instructions from SI Ram Singh has submitted that the complainant had in fact informed the police on 22.3.2018 and had been making inquiries at his own level and it was only after he came across CCTV footage from a camera installed in a shop that he came to know that his motorcycle had been stolen by the petitioner and his accomplices and that it was thereafter that a formal FIR was lodged. The learned State counsel has today shown photographs developed from CCTV footage. While one of the photographs indicates that 3 persons were riding an Activa scooter, another photograph shows that 2 of the said persons are riding a motorcycle.

In view of the aforesaid photographs, this Court does not find any sufficient ground so as to grant anticipatory bail. Consequently, the petition being without any merits is hereby dismissed. However, in case the petitioner choses to surrender before the learned trial Court within 10 days from today and moves an application for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously, preferably within a week thereafter.

July 24, 2018

mohan

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No