

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

**CRM-M No.55180 of 2019
Date of Decision: 14.01.2020**

Amit Sharma @ Gandhi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Jagjot Singh Lalli, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab assisted by
HC Sukhdev Singh.

SUDIP AHLUWALIA J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking anticipatory bail in case FIR No.448 dated 24.10.2017, registered under Sections 451, 427, 323, 341, 379-B, 148 and 149 of the Indian Penal Code (for short 'the IPC') at Police Station Jodhewal, District Ludhiana.

2. Heard.

3. It is submitted by Ld. Counsel for the State that on 11.04.2019, the original offence under Section 379-B of the IPC has been deleted from the case as it has been substituted by the offence under Section 395 of the IPC.

4. The occurrence admittedly took place more than two years ago. The delay of five (05) days in lodging the FIR is not satisfactorily explained. It may be observed that even if the injured friends of the

complainant were not traceable during the intervening days, his act of not reporting the occurrence promptly to the Police is not appreciable.

5. In the given circumstances, the present petition is allowed. The petitioner shall, therefore, be released on anticipatory bail to the satisfaction of the concerned Investigating Officer.

January 14, 2020
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(SUDIP AHLUWALIA)
JUDGE

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