

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

CRM-M-26071 of 2021

Date of Decision: 17.08.2021

Firoz Khan

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Imran Farooqi, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 61 dated 2.5.2021, under Sections 457 and 380 IPC, registered at Police Station Amargarh, District Sangrur.

The FIR was registered as there was theft in a Gurudwara. Golak, CCTV cameras, DVR and LCD were taken away. In the morning of 1.5.2021, Granthi of Gurudwara found things missing, the FIR was registered naming the petitioner and the co-accused. The co-accused was arrested, during his investigation, the petitioner was named.

Learned counsel for the petitioner submits that it is a case of false implication, the petitioner is ready to join the investigation and lend full co-operation, there is no evidence against the petitioner except the disclosure statement and there is delay in lodging the FIR.

Learned counsel for the State appearing on advance notice on instructions from ASI-Paramjit Singh submits that the matter was looked into at the village level and thereafter names of the petitioner and the co-accused were specified in the FIR. She further submits that after arrest of

Jasbir Singh, he suffered a disclosure statement and coins were recovered from him. He made a statement that CCTV cameras, LCD and the balance money is with the petitioner.

The present is a case of theft in a religious place. The petitioner was named in the FIR and the co-accused in a disclosure statement also named the petitioner. Evidentiary value of the disclosure statement would be subject matter of trial. Recovery of the stolen items along with cash is to be made from the petitioner. Involvement of the petitioner in two other FIRs is indicator of his antecedents.

No case is made out for anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

17th August, 2021
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |