

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

CRM-M-32721 of 2021

Date of Decision: 13.08.2021

Amit Kumar alias Bheema

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Naveen Sharma, 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. 48 dated 27.7.2021, under Sections 457 and 380 IPC, registered at Police Station City Raikot, District Ludhiana Rural.

The FIR was registered at the instance of Jeet Ram. The complainant is running meat shop. After closing his shop on the night of 24.7.2021, in the morning of 25.7.2021 the lock of the shutter was found broken and some meat products including live chickens were missing. In the FIR, the petitioner and co-accused Sonu Kumar alias Sunny were specifically named.

Learned counsel for the petitioner submits that there is delay of three days in lodging the FIR. The petitioner has been implicated due to money dispute. The petitioner has no role in the alleged incident.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of pre-arrest bail. She submits that the petitioner and the co-accused are visible in CCTV footage. The co-accused was arrested and he made a disclosure statement that he along with the

petitioner had gone in Scorpio car (specific registration number given) for the alleged incident. She further submits that three days delay is not there in lodging the FIR. The incident took place on the night of 24/25.7.2021 and the FIR was registered on 27.7.2021.

The contentions raised by learned counsel for the petitioner do not enhance the case of the petitioner for grant of anticipatory bail. Delay if any, in lodging the FIR at this stage itself cannot be fatal. As per the case of the State, it was through CCTV footage that the complainant was able to specify the accused. There is nothing even *prima facie* to show that there was money dispute between the petitioner and complainant. It is not a mere case of petitioner having been named in the disclosure statement, there is some material available against him, recovery is yet to be effected.

No ground is made out for grant of anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

13th August, 2021
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1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes