

**104 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No. M-26995 of 2016 (O&M)

Decided on: 08.08.2016.

Anil Kumar @ Anil Kumar Neena

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. PKS Phoolka, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

This is a petition under Section 438 Cr.P.C for grant of anticipatory bail in FIR No.62 dated 30.04.2016 under Section 302 read with Section 34 IPC registered at Police Station Maur Mandi, District Bathinda.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. There is delay of 67 days in lodging the FIR. Learned counsel refers to the FIR to contend that the deceased had made a statement that he had scuffle with employees of Card-board Factory whereas, the petitioner is not employee of the Card-board Factory. He further states that as per record, the complainant is not eye witness. Due to the injuries, the injured was not conscious to make statement.

However, during investigation, name of the petitioner has come in the statement of the complainant, Mahesh Kumar recorded

under Section 161 Cr.P.C. The investigation is in the initial stage. Keeping in view the gravity of the offence and the fact that the investigation is in progress, no case for grant of anticipatory bail is made out at this stage. Consequently, the petition is dismissed.

08.08.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

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