

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

CRM-M No.19908 of 2015

Date of decision: 23rd June, 2015

Jahid

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. Kuldeep Tewari, Addl. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jahid, who is in custody since 25.09.2014, in this regular bail application in case FIR No.384 dated 23.09.2014 registered at Police Station City Bahadurgarh under Sections 148, 149, 307, 353, 186, 120-B, 420 IPC and Sections 25/54/59 of the Arms Act as well as Sections 3/4-A of Cow Slaughter Act, 1955, are that on 23.09.2014 in the area of Police Station City Bahadurgarh on the main Yamunanagar-Delhi road, he along with his co-accused were in the process of transporting cows in black Scorpio for slaughtering purposes and on the intervention of police it is alleged that the persons in the vehicle had fired at the police which hit the police vehicle but no one was injured. Self retaliatory fire was given by ASI

Amit from his service-revolver and constable Naveen from his AK-47 and when the accused tried to run away, present petitioner Jahid was apprehended at the spot and from whose possession a .32 bore country-made pistol was recovered.

It is argued on behalf of the petitioner by Mr. Chanderhas Yadav, Advocate that the only recovery is alleged to be of a country-made pistol as neither any cow has been recovered nor any instrument for cutting the cows, and that the allegations are false as it is a no injury case and the petitioner has already undergone incarceration for almost 9 months and which has been stoutly opposed by the learned State counsel arguing that the petitioner is habitual to cow slaughtering and does not deserve concession at this stage.

Without adverting onto the merits of the case, admittedly being a no injury case and when the petitioner has already undergone custody for almost 9 months and there is no evidence to connect the petitioner with the allegations of cow slaughtering and in the light of the fact that trial is not likely to conclude in the near future, this Court is of the opinion that no useful purpose will be served by keeping the petitioner behind bars in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 23, 2015
rps