

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-23946 of 2015 (O&M)
Date of decision : September 19, 2015

Tahir

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Saleem Ahmed, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana

Fateh Deep Singh, J. (Oral)

The allegations against the present petitioner Tahir in this regular bail application under section 439 Cr.P.C. are that on 24.8.2013 on the basis of secret information that certain un-known persons were trading in cows and were ferrying the same for the purpose of slaughtering and when the complainant Satish along with others consisting of 8-9 persons from 'Gaoraksha Dal' and the police were present at Jamalpur Naka, Pick Up Van came laden with cows. When the police tried to stop the vehicle, the occupants tried to fled away and when chased one of the occupants who has been identified as present petitioner has hit an iron rod on the head of Vikrant leading to his death. The petitioner was arrested on 29.9.2013.

The contention of the counsel for the petitioner Mr. Saleem

Ahmed that the petitioner is not named in the FIR and there is no evidence to connect him with the commission of offence has been forcefully controverted by the State and Mr. Munish Sharma, learned AAG, Haryana has argued that the trial is underway and that the petitioner has influenced the witnesses who are trying to resile and if allowed bail will influence fair trial. It is further contended that the petitioner is a criminal with a history of more than 12 criminal cases.

Appreciating the submissions, keeping in view the seriousness of the allegations and that the apprehension of the State that if allowed bail, the petitioner will influence the witnesses are not unfounded together with the fact of previous history of the petitioner. The appreciation of the evidence is a matter of trial. Finding no merit, the bail petition is dismissed.

September 19, 2015
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(Fateh Deep Singh)
Judge