

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

CRM M-23791 of 2016.

Decided on: 21.07.2016.

Meer Hasan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. G.C. Shahpuri, Advocate,
for the petitioner.

Mr. Naveen Kaushik, Addl. AG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No. 936 dated 29.11.2015, registered under Sections 307, 332 and 353 IPC and Section 25 of the Arms Act and Section 11-D of Animal Cruelty Act and Section 13(2) of the Haryana Gauvansh Prevention Act, 2015, at Police Station City Thanesar, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner was not arrested from the spot. The alleged recovery of the animals was effected in the intervening night of 29th and 30th November, 2015. The petitioner was arrested on 17.3.2016. He further states that the petitioner comes from a minority community and the petitioner has been deliberately and falsely implicated in the present FIR. He further states that the petitioner has been similarly implicated

in as many as nine FIRs out of which in six cases, the petitioner stands acquitted by the competent Court by various orders, Marks A to F. In the alleged incident, one person named Abid died whereas, the other person suffered serious injuries. No case was registered against the Police. One petition has been filed on behalf of brother of the deceased before this Court. In the circumstances, the false implication of the petitioner in the present case cannot be ruled out.

On the other hand, the learned State counsel opposes the bail application.

I have heard learned counsel for the parties and have gone through the case file.

Considering the fact that the alleged recovery of the animals was effected in the intervening night of 29th and 30th November, 2015 and the petitioner was arrested on 17.3.2016. Out of nine cases, the petitioner stands acquitted in six cases vide orders, Marks A to F. Accordingly, without advertting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

21.07.2016.
Anoop

(JITENDRA CHAUHAN)
JUDGE