

CRM-M No.27837 of 2016 (O&M)

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

CRM-M No.27837 of 2016 (O&M)

Date of decision : 23.08.2016

Rijju and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Arjun Atri, Advocate for the petitioners.

Mr. Sandeep Vashisht, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioners under Section 438 Cr.P.C. in case FIR No.99, dated 01.06.2016 registered under Section 5/13 (2) of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act 2015 at Police Station Nagina, District Mewat, Haryana.

As per the allegations secret information was received that the petitioners alongwith others were taking a herd of cows and calves through the hilly terrain towards Rajasthan for slaughtering and if raid

were to be conducted they could be arrested. Though it was conducted and as per the FIR cattle were recovered but the petitioners and their cohorts managed to escape.

Learned counsel for the petitioners has argued that since the petitioners were not arrested at the spot and they are ready to join the investigation they should be granted the concession of anticipatory bail.

Learned Deputy Advocate General on instructions from Investigating Officer has accepted the fact that no other case is pending against the petitioners.

Resultantly, the petition is allowed. In the event of arrest of the petitioners, they shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioners are directed to appear before the investigating officer on 05.09.2016 and on any other date as and when their presence is required. On their appearance the I.O. shall release them on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioners do not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

23.08.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No