

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

**Criminal Misc. No. M-28728 of 2016
Date of Decision:-24.08.2016**

Ashu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Dhruv Gupta, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.43 dated 28.4.2016, under Section 307 IPC, Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 181 of the Motor Vehicles Act, registered at Police Station Panjokhra, District Ambala.

Learned counsel for the petitioner contends that the present is a case of no injury, therefore, offence under Section 307 IPC is not made out against the petitioner. So far as Section 11 of the Prevention of Cruelty to Animals Act, 1960 is concerned, the Act provides fine of Rs.50/-. He further contends that the petitioner is in custody since 28.4.2016. The trial will take sufficient long time and there is no other case against the

petitioner.

Learned State counsel on instructions from SI Jagdish Chander states that even if there is no injury attributed to the petitioner but the petitioner has tried to run over police officials from his truck and, therefore, the offence is serious in nature.

I have heard learned counsel for the parties.

In the case in hand, no injury has been caused to the police officials/complainant. The trial will take sufficient long time. There is no other case against the petitioner.

Accordingly, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ambala.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of available evidence.

August 24, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No