

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

CRM No. M-29201 of 2016

Date of decision:- August 26, 2016

Gurvinder Singh @ Kala

.....Petitioner..

Vs.

State of Haryana

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Davinder Lubana, Advocate,
for the petitioner.

ASI Brij Pal with Mr. Tanuj Sharma, AAG, Haryana.

JASPAL SINGH, J. (Oral)

Through instant petition preferred under Section 439 of the Code of Criminal Procedure, petitioner-Gurvinder Singh @ Kala has sought regular bail in case FIR No.455, dated 31.10.2015, under Sections 420, 429, 467, 468 and 471 IPC, Sections 11 and 13 of Prevention of Cruelty to Animal Act, 1960 and Section, 4-A, 8 of the Punjab Prohibition of Cow Slaughter Act, 1955, Police Station Rai, District Sonapat Haryana, during the pendency of trial.

2. The case of the prosecution in brief is that on 31.10.2015, a truck bearing plate of registration No. HR-60-A-0608 loaded with bulls and cows was recovered and later on, on inquiry it revealed that the actual registration number of the vehicle was HR-68-9072, which was owned by

Gurvinder Singh @ Kala-petitioner. It is also the case of prosecution that the petitioner was also having a car bearing registration No. HR-60-A-0608, and he had dishonestly affixed the registration number plate of his car on his truck.

3. Undeniably, the petitioner was arrested on 24.05.2016 and at the time of alleged interception of the truck loaded with bulls and cows, the petitioner was not present at the spot. It is also not in dispute that after the completion of investigation, report under Section 173 (2) Cr.P.C. has already been presented before the ld. Magistrate on 19.08.2016. Moreover, he is suffering incarceration since the date of his arrest i.e. 24.05.2016 in the judicial lock-up. The disposal of the challan is also not likely in the near future or short span of time.

4. Taking into consideration all the aforesaid aspects of this case but without expressing any opinion on the merits of the case, petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial court/Duty Magistrate.

August 26, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No