

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31194 of 2016
DECIDED ON: October 26, 2016

KALIPETITIONER..

VERSUS

STATE OF HARYANARESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Navraj S. Mahal, Advocate for
Mr. Gautam Dutt, Advocate,
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, Kali-petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.130, dated 14.06.2016, under Section 5/13(2) of the Haryana Gauvash Sanrankhsan & Gau Samvardhan Act, 20 of 2015 Police Station Ferozepur, Jhirka, District Mewat.

2. At the time of issuance of notice of motion, following order was passed by this Court on 05.09.2016:-

“Inter-alia, it has been contended by learned counsel for the petitioner that petitioner & his co-accused has been falsely implicated in the instant case. FIR has been registered on the basis of a secret information to the effect that petitioner along with his co-accused while armed with axe and knives etc. are planning to slaughter

cow when a raid was conducted, the petitioner and his co-accused fled away from the spot while leaving the cow. Learned counsel further contends that the request for pre-arrest of bail has been declined simply on the ground that such type of incidents are increasing day by day in this area.

Notice of motion for 26.10.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on interim bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel on instructions from SI Shish Ram, has submitted that the petitioner has joined the investigation in compliance of order dated 05.09.2016 passed by this Court. He is no more required for further investigation.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 05.09.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 26, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*