

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

CRM-M-34875-2016 (O&M)

Date of decision : 22.11.2016

Samim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Sant Lal.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.436 dated 26.08.2016, registered under Sections 5, 13(2) and 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015; Section 11 of the Animal Cruelty Act; and Section 120-B of the Indian Penal Code, at Police Station Nuh, Distt. Mewat.

It is contended that the petitioner was not arrested from the spot. He is neither the driver nor owner of the vehicle in question. He has been falsely implicated in the present case on the basis of alleged secret information, which was not passed on to the superior authorities. He is not involved in any other case. In pursuance of order dated 29.09.2016, the petitioner has joined the investigation.

On the other hand, learned State counsel submits that the petitioner was driving the vehicle wherein, the cattle was being taken for slaughter.

Heard.

Considering the fact that the petitioner was not arrested from the spot, he is not involved in any other FIR and it has not come on record as to whether any chase was given to the petitioner, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 29.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

22.11.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No