

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

CRM-M-38018-2016 (O&M)
Date of decision : 11.11.2016

Tasawar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Shahpuri, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Jai Kishan.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.936 dated 29.11.2015, registered under Sections 307, 332 and 353 read with Section 34 of the Indian Penal Code; Section 11 of the Prevention of Cruelty to Animal Act; Section 13(2) of Haryana Gauvansh Sanrakshan and Gausamvardahan Act, 2015; and Section 25 of the Arms Act, at P.S. City Thanesar, Distt. Kurukshetra.

It is contended that the petitioner was neither named in the FIR, nor arrested from the spot. He was arrested after seven months of the alleged occurrence. No recovery has been effected from him. He is in custody since 17.08.2016. He is not involved in any other case.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits the challan stands presented but the charges are yet to be framed.

Heard.

The petitioner is neither named in the FIR, nor arrested from

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the spot. He is not involved in any other case. The petitioner is behind the bars since 17.08.2016. He has been implicated in the instant case on the basis of disclosure statement of co-accused. No recovery has been effected from him. Though, the challan stands presented, but the charges are yet to be framed, therefore, it can safely be inferred that the conclusion of the trial may take a considerable time.

Keeping in view the above and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.11.2016
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(JITENDRA CHAUHAN)
JUDGE

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