

103.

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

CRM-M-41934-2016

Date of decision:23.11.2016

Farukh and another

... Petitioners

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rakesh Gupta, Advocate,
for Mr.Arjun Atri, Advocate,
for the petitioners.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.454 dated 29.08.2016 (wrongly mentioned as 28.08.2016 in the impugned order) under Section 5/13(2) of Haryana Gouvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Punhana, District Mewat.

Learned counsel for the petitioners has argued that the petitioners have falsely been implicated in the case. They were never arrested from the spot and it is only on the basis of police informer, the identity of the petitioners has been disclosed. Therefore, the petitioners have not committed any offence as alleged in the FIR. Petitioners are only identified by police informer/alleged secret informer and this fact shows that the petitioners have been falsely implicated.

Heard, learned counsel for the petitioners.

The perusal of contents of FIR shows that on the basis of secret information that the petitioners along with other co-accused were to transport a calf to Nogaon for slaughtering in Rajasthan via Nai Hathangaon, to nab the culprits, naka was stalled. After about 15-20 minutes of nakabandi, and seeing the police party, 4 persons started running back on the village side after leaving the calf there. The police party tried to chase the accused, however, they succeeded in running away from the spot while taking advantage of standing crops. The accused were identified by secret informer. On checking, one skinny calf tide with mouth was recovered and the same was taken into police possession.

Thus, taking into consideration the seriousness of offence committed by the petitioners for which their custodial interrogation is required, this Court does not find any reason to admit the petitioners on anticipatory bail.

Accordingly, the present petition stands dismissed.

(HARI PAL VERMA)
JUDGE

23.11.2016
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No