

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.434 of 2016

Date of Decision:-06.05.2016

Iliyas @ Bholu.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Ms. Monisha Lamba, Advocate for the Petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
assisted by SI Kanwar Bhan.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner-Iliyas @ Bholu in case FIR No.316 dated 20.08.2015 for offences punishable under Sections 307 and 34 of Indian Penal Code, Section 25 of the Arms Act and Sections 4A, 2/8 of CS Act registered with Police Station Bilaspur, District Gurgaon.

As per allegations on 20.08.2015 the members of the Cow Saving Board had intercepted a Tata 407 vehicle carrying 04 Cows and one Ox for slaughtering. The said truck turned turtle and two of the cows died at the spot. Three accused i.e. petitioner-Iliyas, co-accused Munna and Saddam were apprehended at the spot while three are stated to have fled

away.

It is contended that petitioner is in custody since 20.08.2015 and after presentation of challan and framing of charge, evidence of 19 cited Pws is yet to commence. She further states that it is a case of no injury and in any case firing part is concerned, same is attributed to the co-accused Sahun.

Learned State Counsel assisted by SI Kanwar Bhan does dispute the custody period and the stage of the trial. He further submits that the petitioner is involved in six other cases of similar nature.

Without commenting on the merits of the case, keeping in view the custody period and that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner Iliyas @ Bholu is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Gurgaon.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 06, 2016
Vinay