

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

**CRM-M No.550 of 2016 (O&M)
Date of Decision: 13.01.2016**

Juhuru

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by A.S.I. Mohd. Harun.

JASWANT SINGH, J. (Oral)

The prayer in the present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.375 dated 02.07.2015, under Sections 2, 3-A, 4-A/8 of the Punjab Prohibition of Cow Slaughter Act and Sections 11/59/60 of the Animal Cruelty Act, registered with Police Station Hodal, District Palwal.

As per the case of the prosecution, a Pick-up Van loaded with nine Cows turned turtle on a link road. Nine Cows were found to be tied and out of which, two were found dead on account of the accident.

The petitioner is the alleged owner of the said vehicle and as per his own disclosure statement, he was carrying the same for slaughtering to District Alwar, Rajasthan.

It is contended that except the disclosure statement made before the police, which otherwise is not admissible in evidence, there is no other evidence available against the petitioner. It is next contended that the petitioner is not involved in any other such like case. He further submits that the petitioner is in custody since 03.11.2015 and investigations qua him are over. He further submits that the case is triable by a Magistrate.

Learned State Counsel, assisted by A.S.I. Mohd. Harun, concedes regarding the custody period and submits that after completion of the investigation, the challan has been presented.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

January 13, 2016
Gagan

(JASWANT SINGH)
JUDGE