

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11801 of 2017
Date of Decision: 19.04.2017

Naseem

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sutikshan Sharma, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 97 dated 18.10.2016 registered for offences punishable under Sections 307 read with Section 120-B of Indian Penal Code (for short, "IPC") and 13 (2) of Prohibition of Cow Slaughter Laws (The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015) at Police Station Naggal, District Ambala.

Heard.

Notice of motion.

On asking of the court, Ms. Neelam Kashyap, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

The petitioner was arrested by the police on 04.03.2017 as the petitioner was owner of the vehicle in which cattle were carried by some other accused, who attacked the persons, who tried to stop them. Admittedly, petitioner was not in the vehicle at the time of that occurrence.

It is a matter of investigation as to whether offence punishable under Section 13 (2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act is made out against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Naseem is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

April 19, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No