

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

CRL. MISC. No.M-27885 OF 2017
DATE OF DECISION : 27th SEPTEMBER, 2017

Mannu alias Munna

.... Petitioner

Versus

State of Haryana

.... Respondent

CRL. MISC. No.M-31928 OF 2017

Faizan alias Kala

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Chanderkant Thakur, Advocate
 for petitioner-Mannu alias Munna.

 Mr. Vikram Singh, Advocate
 for petitioner-Faizan alias Kala.

 Ms. Tanushree Gupta, DAG, Haryana.

* * * *

A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the aforesaid petitions under Section 439 Cr.P.C. seeking regular bail in FIR No.156 dated 04.03.2017 registered under Sections 25/54/59 of Arms Act; 307 IPC and Section 13(2) of Haryana Gouvansh Sanrakshan and Gausamvardhan Act 2015 at Police Station Civil Lines, Karnal District Karnal.

Heard learned counsel for the rival parties.

Reply filed by the State in CRM-M-31928-2017 is taken on record.

Learned State counsel vehemently opposed the petitions for regular bail on the ground that the petitioners have been in business of cow slaughtering which is a serious offence triable by special Court. She submits that the petitioners are habitual of committing such offences. Not only that in the present case when they are confronted with the police party they pelted stone and fired on the police party and ran away.

Indeed the offence committed by the petitioners is serious. The petitioners were arrested on 24.04.2017 and 15.05.2017 respectively.

Insofar as petitioner-Mannu @ Munna is concerned there is no other case against him. He should be given a chance for reformation, particularly because the learned counsel for the petitioner-Mannu on his instructions makes statement that the petitioner would file undertaking not to indulge in such type of offence like transporting of cows or prohibited animals. The petitioner shall furnish a copy of the same with the Police Station concerned and the trial Court as well.

Insofar as petitioner-Faizan alias Kala is concerned the counsel for the petitioner Mr. Vikram Singh submits that in one case of similar nature he has been acquitted.

I have perused the other case pending against him. Looking to the nature of the offence except one, pendency of that case should not come into way of the petitioner-Faizan particularly because the learned counsel for the petitioner on his instructions makes statement that the petitioner would file undertaking to the effect not to indulge in such type of offence and attacking on police again and shall furnish a copy of the same with the Police Station concerned and the trial Court as well.

In my opinion, since the petitioners are ready to furnish the affidavit as aforesaid not to indulge in such type of offence, I am inclined to grant bail to the petitioners to give a chance for reformation.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-27885 OF 2017 and CRL. MISC. No.M-31928 OF 2017 are allowed.
- (ii) The petitioners are ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioners shall report to the police station concerned on every Monday, Wednesday and Sunday from 11.00am to 4.00pm in addition to appearing before the trial Court on the dates fixed there.
- (iv) The petitioners shall give their respective undertakings to the police as aforesaid that they will not indulge in such type of offence in future, within two weeks from the date of their release.
- (v) In case of violation of the above condition on the part of the petitioners, the liberty is reserved in favour of the State to apply for cancellation of bail.

27th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>