

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

**Criminal Misc. No. M-33228-2017
Date of Decision: 11.12.2017**

Azad Khan

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Munfaid Khan, Advocate for the petitioner.
Mr. B.S. Virk, DAG, Haryana for respondent(s)-State.

...

Inderjit Singh, J.

Petitioner-Azad Khan has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.306 dated 12.05.2016, registered at Police Station Saran, Faridabad, under Sections 279 and 336 of IPC and 13 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act and 11 of Prevention of Cruelty to Animals Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the FIR, on 12.05.2016 at about 3:30 A.M., some persons were boarding a cow in their Scorpio vehicle. When the complainant along with his friends objected to it, then those persons started pelting stones upon them. They called police Control Room, upon which police reached on the spot, but they absconded from the place.

In pursuance of the interim order dated 07.11.2017, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 07.11.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

11.12.2017
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No