

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

CRL. MISC. No.M-44284 OF 2016
DATE OF DECISION : 13TH FEBRUARY, 2016

Aarif alias Budhu

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Jitender Dhanda, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.209 dated 25.06.2016 registered under Section 307 read with Section 34 IPC; Section 25 of the Arms Act and Section 17 of Haryana Gauthansh Sanrakshan and Gauthamvardhan Act at Police Station Bilaspur, District Gurgaon.

Heard learned counsel for the rival parties.

The petitioner was arrested on 02.07.2016 and since then he is in jail. Admittedly, the challan has been filed.

Learned State counsel objected to the present petition for bail on the ground that there are total three FIRs against the petitioner out of them two are of Section 17 of Haryana Gauthansh Sanrakshan and Gauthamvardhan Act.

Learned counsel for the petitioner submits that the petitioner is alleged to be the driver of the vehicle transporting cows in the present

case as well as in the other cases. He further submits that the petitioner is already on bail in those cases.

Learned counsel for the petitioner makes a statement that after release from the jail the petitioner will file undertaking that he would not indulge in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

The petitioner is in jail since 02.07.2016. The allegations qua Section 307 IPC are not against the present petitioner as in the present FIR somebody fired at the police.

In view of the fact that the challan has been filed and the trial will take its own time and the petitioner is ready to give an affidavit as stated above, the petitioner is ordered to be released on bail. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-44284 OF 2016 is allowed
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall file an affidavit within four weeks that he will not commit such type of offence again.
- (iv) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

13th February, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE