

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-4562 of 2017

Date of Decision: 16.02.2017

Momin and another

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Paramjit Singh Jammu, Advocate
for the petitioners.

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. 746 dated 01.10.2016 registered for offences punishable under Sections 13 (2) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and 11 of Animal Currelty Act and 420, 467, 468, 471 read with Section 120-B of Indian Penal Code, at Police Station City Sirsa, District Sirsa.

Heard.

Notice of motion.

On asking of the court, Mr. Tanuj Sharma, AAG, 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 him.

Learned State counsel submits that petitioners have surrendered on 14.12.2016 and thereafter, police has presented challan.

In this case an abandoned vehicle having 14 oxen was recovered by the police .

Allegations against petitioners are that they have forged the number-plate of the truck and were taking oxen for slaughtering. The police has presented the challan based on the disclosure statements suffered by petitioners and their co-accused Ranjha.

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. Petitioners Momin and Shakeeb are 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) Petitioners 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

February 16, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No