

**Sr. No.218
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-10981 of 2018 (O&M)

Date of Decision: 19.04.2018

Burhan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Balkar Singh, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of bail pending trial in case FIR No.203 dated 27.08.2016, under Sections 307, 429, 120-B/34 IPC and Section 13(2) of Haryana Gauvansh Sarankshyan and Gau Sanvardhan Act, registered at Police Station Parao, District Ambala.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Gurjan Singh who claimed himself to be the District President of a Cow Welfare Society.

Allegations are that secret information had been received that a 'Tata Truck' loaded with cows and bullocks was being taken to Uttar Pradesh for purposes of slaughtering. An attempt having been made to stop the vehicle, driver attempted to run over the complainant party and ultimately was nabbed with the help of police officials by managing the road block.

Present petitioner was apprehended on the spot and is stated to be the driver of the offending vehicle.

Petitioner was arrested on 27.08.2016.

It so transpires that petitioner having been granted concession of bail, he misused such concession and absented on 22.12.2016. He was declared a proclaimed offender on 14.03.2017. Subsequently, petitioner was arrested in a different FIR and thereafter his arrest in the present FIR has been shown w.e.f. 26.07.2017.

Investigation in the case is complete and challan already stands presented. Even charges have been framed.

Trial is stated to be at the initial stage and would take time to conclude.

Petitioner has misused the concession of bail granted earlier in point of time.

Be that as it may, petitioner has faced incarceration in the present case since 26.07.2017.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned provided he is not required in any other case.

Disposed of.

19.04.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No