

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16914 of 2018
Date of Decision: 10.05.2018

Arbaz @ Karar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Saroha, Advocate
for the petitioner.

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.8 dated 09.01.2017 registered for offences punishable under Sections 279, 336 and 307 of Indian Penal Code (for short, "IPC"), 11-D of Prevention of Animal Cruelty Act, 1960 and 25 of Arms Act, 1959, at Police Station Kunjpura, District Karnal.

Heard.

Notice of motion.

On asking of the court, Ms. Neelam Kashyap, DAG, 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 her.

As per case of prosecution, on 09.01.2017 a vehicle carrying cows and bulls was seen coming near police *naka* at village Makhmajra, Drar *Chowk*. When signal was given to stop, driver of the vehicle accelerated the speed. The police party pulled barriers as a result of which

two tyres of the vehicle got burst and occupants of the vehicle ran away from the spot.

Learned State counsel submits that the petitioner is owner of the vehicle in which cattle were being carried. He was arrested on disclosure statement of co-accused and has confessed his guilt before the police in his disclosure statement.

The petitioner was arrested on 05.02.2018 and challan after completion of investigation has been presented in Court. Though, it has been alleged that occupants of the vehicle fired at police party but nobody was injured in this case.

In view of above and 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. Petitioner-Arbaz @ Karar is 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) The petitioner 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 10, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No