

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

Criminal Misc.No.M-24140 of 2018 (O&M)

Date of Decision : 31.10.2018

Aslam

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J. (Oral)

Reply by way of affidavit of Ashish Chaudhary HPS, Deputy Superintendent of Police, Bilaspur (Yamuna Nagar) on behalf of respondent-State has been filed. Same is taken on record. Copy has been supplied.

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of pre-arrest bail in case FIR No.286 dated 10.12.2015, registered under Sections 279, 336, 307, 420, 427, 473, 120-B IPC, Section 25 of the Arms Act, Section 13 (2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Section 4B/8 of the Punjab Prevention of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animals Act, 1960, at Police Station Bilaspur, District Yamuna Nagar.

The allegation levelled against the petitioner is that cows were transported in the truck and when some persons tried to rescue the cows, someone fired a shot from the truck.

It has been submitted that the petitioner could not be arrested

in this case. However, three co-accused were arrested and put to trial and they have already been acquitted vide judgment dated 20.11.2017 (Annexure P-1), passed by the learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri.

Learned State counsel has stated that the petitioner has joined the investigation, nothing is to be recovered from him and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Resultantly, the interim order dated 01.06.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJ SHEKHAR ATTRI)
JUDGE

31.10.2018
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No