

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

210

**CRM-M No. 2764 of 2018
Date of Decision: 29.01.2018**

ALEEM

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Kunal Dawar, Advocate
for the petitioner.

Mr.Satish Saini, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.382 dated 24.8.2017, registered under Sections 186, 307, 332, 353, 379, 411 IPC and Section 13 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11/59/60 of the Animals Cruelty Act at P.S. Sadar Ballabhgarh District Faridabad.

Allegations against the petitioner are that on receipt of secret information, a car was stopped by using torch signal. The

driver of the car instead of stopping the car, accelerated the same and hit first line of barricades, resulting in injuries to a police man. The car was made to stop at the second barricade. Three persons were found sitting in the car along with one bull, which was kept tied at the back seat. The driver of the car was found to be Aleem i.e. the petitioner. The bull was allegedly taken from Ballabgarh Grain Market and was being transported for slaughtering. The FIR was registered.

Learned State counsel, on instructions from ASI Raj Kumar, states that even the car used in the offence was found to be a booty of theft qua which FIR was registered in Delhi. The car has been taken by the true owner on superdari.

In view of allegations, it would be debatable as to whether offence under Section 307 IPC is attracted or not. Offence under Section 186 IPC is the aggravated form of offence under Sections 332, 353 IPC. Petitioner is in custody since 24.8.2017. Challan has already been presented. Trial is likely to take sometime in its culmination.

In view of above, without adverting to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Accordingly, this petition is allowed. Let the petitioner be enlarged on bail, subject to his furnishing adequate bail

bonds/surety bonds to the satisfaction of trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 29, 2018.
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No