

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

CRL. MISC. No.M-9850 OF 2018
DATE OF DECISION : 18th MAY, 2018

Nawab

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Ms. Kompalpreet Handa, Advocate for the petitioner.

Mr. Sidharth Sanwaria, DAG Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed second petition under Section 439 Cr.P.C. seeking regular bail in FIR No.156 dated 04.03.2017 registered under Sections 25/54/59 of Arms Act; 307 IPC and Section 13(2) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act at Police Station Civil Lines, Karnal District Karnal.

Heard learned counsel for the rival parties.

Learned State counsel vehemently opposed the petition for regular bail on the ground that the petitioner has been in business of cow slaughtering which is a serious offence triable by special Court. He submits that the petitioner is habitual of committing such offences. Not only that in the present case when he is confronted with the police party he along with other co-accused pelted stone and fired on the police party and ran away.

Indeed the offence committed by the petitioner is serious. The petitioner was arrested on 24.04.2017 and is in jail since then.

There is no other case against the petitioner as stated by the learned State counsel. He should be given a chance for reformation, particularly because the learned counsel for the petitioner on instructions from the petitioner makes a statement that the petitioner would file undertaking not to indulge in such type of offence like transporting of cows or prohibited animals. The petitioner shall furnish a copy of the same with the Police Station concerned and the trial Court as well.

In my opinion, since the petitioner is ready to furnish the affidavit as aforesaid not to indulge in such type of offence, I am inclined to grant bail to the petitioner to give a chance for reformation.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-9850 OF 2018 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (iv) The petitioner shall report to the police station concerned on every Monday, Wednesday and Sunday from 11.00am to 4.00pm in addition to appearing before the trial Court on the dates fixed there.

- (v) The petitioner shall file the affidavit as aforesaid that he will not indulge in such type of offence in future, within two weeks from the date of his release.
- (vi) In case of violation of the above condition on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail. The police to keep surveillance on him.

18TH MAY, 2018
‘raj’

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>