

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9700-2019

Date of Decision: 08.05.2019

Ummar Mohammad

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Rosi, Advocate for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Ummar Mohammad has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.128 dated 10.02.2019, registered at Police Station Nuh, District Nuh, under Sections 279, 336 and 120-B of the Indian Penal Code, Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 11 of the Animal Cruelty Act, 1960 and Section 3(2) of the Prevention of Damage to Public Property Act, 1984.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The present petitioner is not shown to be present at the place of occurrence and recovery was not effected from him. He is stated to be owner of the vehicle from which the cows etc. have been recovered.

In pursuance of the interim order dated 18.03.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 18.03.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

08.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No