

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10991-2019
Date of decision-07.05.2019

Hasan Mohd.

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jamshed Ahmed, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
Rajender Singh, CS Staff

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.284 dated 27.12.2018 under Sections 5 and 13(2) of The Haryana Govansh Sanrakshan and Gausamvardhan Act, 2015 registered at Police Station Pinagwa, District Mewat. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.03.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the petitioner was walking with the cattle and according to the prosecution, the same was meant for slaughtering. It is contended that the petitioner had purchased the cattle and there is nothing on record to indicate that any offence regarding slaughtering is made out.
Notice of motion for 07.05.2019.*

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by Rajender Singh, CS Staff does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from Rajender Singh, CS Staff further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.03.2019 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

07.05.2019

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No