

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21819-2018

Date of decision: 24.05.2019

Mustafa

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aditya Verma, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.103 dated 03.10.2016 under Section 307 IPC and Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2017, registered at Police Station Panjokhra, District Ambala.

Learned counsel for the petitioner submits that the petitioner has surrendered back after availing the interim bail granted vide order dated 18.04.2019. It is further submitted that as per allegations in the FIR, which is registered on the complaint of Gurjant Singh, who is Head of Gau Welfare Society, a truck bearing registration No.HR-56C-0117 is going from Punjab, carrying cows for transporting them to UP for the purpose of slaughtering and selling the meat. It is further stated in the FIR that when the complainant along with some police officials were present at the Ambala-Naraingarh Road, the

aforesaid vehicle came there and it was stopped. The riders of the truck fired several rounds of shots, however, the complainant and others escaped. Later on, the truck got punctured and stopped and the driver and person sitting in the truck ran away from the spot, taking benefit of the dark. Learned counsel further submits that the petitioner is in custody for the last 01 year, 04 months and 29 days and only two prosecution witnesses have been examined so far. It is also submitted that on the basis of disclosure statement made by co-accused, the petitioner was not named in this case and his co-accused Intzar and Aslam have already been granted the concession of regular bail.

Learned State counsel has filed the custody certificate dated 23.05.2019 in the Court today and has not disputed the custody period undergone by the petitioner, however, submitted that he is involved in number of similar cases registered at Saharanpur (U.P.).

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year, 04 months and 19 days and conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

24.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No