

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-11770 of 2019

Date of Decision: July 09, 2019

Deeni @ Deen Mohammad

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Jamshed Ahmed, Advocate for the petitioner(s).

Mr. Sukhdeep Parmar, DAG, Haryana
assisted by ASI Rajender Singh.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.28 dated 28.01.2019 under Sections 5/13 (2) of The Haryana Govansh Sanrakshan and Gausamvardhan Act, 2015 registered at Police Station Punhana, District Nuh (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 20.03.2019 whereby while issuing notice of motion, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR is based on a secret information allegedly revealing that the petitioner is running the business of cow slaughtering. Acting upon the same, the petitioner was seen walking along with the cattle. According to him, there is nothing to indicate that the cattle either

belongs to him or was for the purposes of slaughtering.

Notice of motion for 26.04.2019.

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 ASI Rajender Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Rajender Singh 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 20.03.2019 is made absolute.

However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

July 09, 2019
sonia arora

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No