

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

CRM-M No. 12263 of 2019
Date of decision : March 25, 2019

Iqbal @ Paltu

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Dr. Sushil Gautam, DAG Haryana

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.285, dated 29.12.2018, registered under Sections 5/13(2) of the Haryana Govansh Sanrakshan and Gaushamvardhan Act, 2015, at Police Station Pinagwa, District Nuh.

As per allegations, the police had received a secret information that the petitioner along with some other persons ran the business of cows slaughtering and that on that day also, they were taking six animals to Rajasthan for slaughtering. A raid was conducted and three persons were seen hurting the cows near a drain who, on seeing the police party, escaped. They were identified by the secret informer.

Counsel for the petitioner has argued that the petitioner was not

arrested from the spot and in fact was granted interim bail and he jointed the investigation and there was no allegation that he was not cooperating or had tampered with any evidence but still the trial Court wrongly declined bail to him.

Learned DAG Haryana, on instructions from ASI Tek Chand, states that the petitioner is a habitual offender and four similar cases are pending against him.

Be that as it may, in my considered opinion, the arguments of counsel for the petitioner carry more weight. Once interim bail is granted the parameters have to change. In these circumstances, without commenting upon the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed and it is directed that in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 25, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No