

227

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

CRM-M-15485 of 2019
Date of Decision: 07.05.2019

ShokatPetitioner

Versus

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE AJAY TEWARI

Present Mr.Arjun Atri, Advocate for the petitioner.
Dr.Sushil Gautam, DAG, Haryana.

AJAY TEWARI, J(ORAL)

The present petition has been filed under Section 439 Cr.P.C for grant of bail pending trial to the petitioner in case FIR No.450 dated 03.12.2017 under Sections 5/13(2) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, 11-59-60 of the Prevention of Cruelty to Animals Act, 279,336,186,332,307,427 of IPC and Section 25/54/59 of Arms Act, registered at Police station Tauru, District Mewat.

As per the allegations, the police had received a secret information about some persons who were indulging in smuggling of cows from Haryana to Rajasthan. The police laid a *naka* and when the offending vehicle came, they tried to stop it. In an attempt to escape two persons from the vehicle fired shots at the police party while the others (including the petitioner) threw stones at the police party.

Learned counsel has argued that the petitioner was not one of those who fired at the police party and otherwise it was a case of no injury.

Custody certificate of the petitioner by way of affidavit of Kuldeep Kumar, DSM, Deputy Superintendent, District Prison (Gurgaon), Haryana produced by learned State counsel in Court today is taken

CRM-M-15485 of 2019

on record.

Dr.Sushil Gautam, DAG, Haryana, on instructions from HC Mukesh Kumar, has accepted these factual submissions. He placed on record the custody certificate, as per which the petitioner has undergone 6 months and 11 days of custody and no other case is pending against him.

Be that as it may and keeping in view the above facts and the period of incarceration already suffered by the petitioner and without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the concerned CJM/Illaqa Magistrate/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of..

07.05.2019
mamta

(AJAY TEWARI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No