

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

CRM-M-17139-2019

Date of decision-10.07.2019

Sabir

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munfaid Khan, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
HC Navneet Singh.

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.0860 dated 22.12.2017 under Sections 3/13 (1), 8/13 (3) 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 registered at Police Station Nuh, District Nuh. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.04.2019 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 a secret information was received by the police regarding petitioner, informing that he would be travelling with beef. As per the case settled by the prosecution one motorcycle bearing registration No. HR-99-NRCT-1304 was caught and the driver of the same managed to escape.

At that time alleged beef weighing about 27 kilogram was

also recovered. Learned counsel for the petitioner contends that neither motorcycle belongs to him nor the said beef and it is not justifiable that despite secret information police was unable to apprehend the accused.

Notice of motion for 10.07.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the 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 HC Navneet Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Navneet 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 12.04.2019 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.

(MANOJ BAJAJ)
JUDGE

10.07.2019
vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No