

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18314-2019

Date of Decision: 16.07.2019

Jahul Haq

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arjun Atri, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Jahul Haq has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.128 dated 10.02.2019, registered at Police Station Nuh, District Mewat, under Sections 279, 336, 120-B of the Indian Penal Code, Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Section 11 of the Animal Cruelty Act and Section 3(2) of the PDPP Act.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner states that there is nothing on the record to prove the identity of the present petitioner. He has been falsely implicated in this case. There is no name of the person, who identified the present petitioner running away from the spot.

In pursuance of the interim order dated 06.05.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 06.05.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

16.07.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No