

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31400-2019
Date of Decision: 16.12.2019

Sahid

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mohd. Shahid Hussain, Advocate for the petitioner.
Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Prayer is for grant of regular bail in case FIR No.233 dated 21.10.2007 under Sections 2/8, 3/8 Cow Slaughter Act & 323,353,307 IPC registered at P.S Bahin District Palwal.

As per contents of the FIR, when complainant-ASI Nanak Singh along with other police officials was present at Utgtawar Chowk, he received a secret information that the petitioner along with his co-accused Kasam @ Thaendar (both alleged to be the cow smugglers) was transporting the beef in a dumper and pick up in order to smuggle the same to Delhi. A raiding party was constituted. When the police reached the place of occurrence, co-accused Mustak and others were loading the beef whereas the petitioner being the dumper driver was present on its driving seat. Upon seeing the raiding party, the accused started pelting stones at police, as a result of which vehicle's mirrors were damaged and Constable Ajit Singh suffered injury on his arm. The drivers of the pick up and the dumper sped away. When chased, they fired at the police party with their country made pistols with intention to kill. From the spot, the police took into possession 150 kg of beef, two knives, three axes and one hide of cow.

Learned counsel for petitioner contends the petitioner has falsely been implicated and that co-accused Kasam @ Thanedar has already been acquitted by the trial Court. Nothing has to be recovered from the petitioner and that he has no connection with the alleged offence.

Upon notice, learned State counsel filed a short reply of the Deputy Superintendent of Police, Hathin stating that after completion of investigation, challan was submitted before the learned Illaqa Magistrate and now the trial Court is stated to have committed the trial to the learned Sessions Court on 19.09.2019. It is further stated that since lodging of the FIR i.e 21.10.2007, the petitioner has been running from the investigating agency and could not be arrested despite best efforts having been made. He was declared as proclaimed offender vide order dated 01.09.2009. He managed to evade arrest for almost 11 years and was only arrested on 16.10.2018. In case, the petitioner is released on bail, he may again abscond from the trial. There are as many as nine FIRs including FIR No.387 of 2018 under Section 25 of the Arms Act, FIR No.17 of 2015 under Sections 5,8,9 of IRB Act, FIR No.120 of 2014 under Sections 365, 323, 506, 34 IPC and FIR No.130 of 2010 registered against him under Sections 279,336 , 148, 149, 427 , 506, 307, 384 IPC and Section 25 of the Arms Act detailed in the reply.

In view of the facts and circumstances of the present case, no ground for bail is made out.

Dismissed.

December 16, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No

