

CRM-M-38806-2019
Date of Decision : September 17, 2019

....Petitioner

State of Haryana

....Respondent

Present : Mr. Pradeep Chhoker, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is the first petition under Section 439 of the Code of Criminal Procedure filed by the petitioner for grant of regular bail in FIR No.421 dated 22.7.2019 under Section 279, 336, 272, 188 IPC and under Section 13(1) HGSG Act, 2015 registered at Police Station Quila Panipat, District Panipat.

Counsel for the petitioner submits that as per the allegations in the FIR, the police received an information that one car was going from Garhi Besak to Beriwal Mosque, Panipat carrying cow meat and when the police party tried to stop the car, the driver tried to run over the complainant. Counsel for the petitioner further submits that the petitioner was not named in the FIR and he has been subsequently arrested on 22.7.2019 and, thereafter, the meat was sent to lab for chemical examination whether it was cow meat or not. Counsel for the petitioner further submits that as per his information it is not

cow meat. Counsel for the petitioner further submits that the petitioner is no more required for custodial investigation and it is a case where no police official was injured.

Learned State counsel, on instructions from SI Brij Pal could not dispute the factual position. However, it is stated that the report of the lab is still awaited.

Without commenting anything on the merits of the case, considering the fact that the petitioner is in custody since 22.7.2019 and no more required for custodial interrogation and the investigation is complete, this petition is allowed and the petitioner is directed to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

September 17, 2019
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Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO