

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

**Crl. Misc. No.M-52647 of 2019 (O&M)
Date of Decision: December 13, 2019**

Rafik

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Talim Hussain, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

Heard.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 405 dated 25.10.2019 registered for the offences punishable under Sections 3/13(1), 8/13(3), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act at Police Station Punhana, District Nuh.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, Asst. A.G., Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of prosecution, the petitioner was apprehended on

25.10.2019 on the basis of secret information and 45 Kg. beef kept in 18 polythene bags was recovered from his possession.

Learned state counsel on instructions from ASI Rajender Singh submits that after completion of investigation, final report against the petitioner has been presented and trial is at the stage of framing of charge.

Keeping in view the facts of the case; that witnesses against the petitioner are mostly government officials and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Rafik is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

December 13, 2019

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No