

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

CRM-M-12339 of 2020
Date of Decision: 14.05.2020.

Mustakeem

....Petitioner

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

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

Lalit Batra, J.(Oral)

Case has been taken up for hearing through video conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Mustakeem** in case F.I.R. No.01 dated 01.01.2020 under Sections 120-B, 279, 307 and 336 IPC and Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 11 of Prevention of Cruelty to Animals Act, 1960, registered at Police Station Ferozepur Jhirka, District Nuh.

Notice of motion.

Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has already been supplied to him.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence and even

otherwise no injury has been attributed to him. He further submits that petitioner is in custody since 02.01.2020 and he is no more required by the Police for any investigation purpose. He further urges that challan has already been presented in the Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 02.01.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in the Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Mustakeem** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Chief Judicial Magistrate/Trial Court, Nuh, as the case may be. However, petitioner has been given liberty to defer the

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furnishing of surety bond due to COVID-19 and he is directed to furnish the surety bond to the satisfaction of Chief Judicial Magistrate/Trial Court, Nuh, as the case may be, on culmination of nationwide lockdown due to COVID-19.

**(LALIT BATRA)
JUDGE**

14.05.2020
rimpal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No