

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-12973 of 2020 (O&M)
Date of Decision: 15.06.2020

Aleem

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

RAJIV NARAIN RAINA, J.

The matter is taken up for hearing through video conference/WhatsApp [due to the pandemic COVID-19].

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.31 dated 21.02.2020 under Sections 279, 336, 429, 307, 120-B of Indian Penal Code 1860, Section 11 of Prevention of Cruelty to Animal Act, 1960, Section 25-54-59 Arms Act 1959 registered at Police Station Rojka Meo, District Nuh.

Notice of motion.

Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondent-State.

In brief, facts of the case are that the complainant with the help of police officers and secret informer started to put barricades after receiving secret information that the petitioner along with two other persons is involved in the business of selling camels meat after killing camels in cruelty manner and they will go to Delhi to sell the camel meat loaded in

their vehicle no.RJ-02-GA-6388 LP 12 tyres. One LP truck was seen coming from Nuh side and complainant gave signal to its driver to stop but the driver did not stop his truck and started to run away. One young boy sitting on the conductor side with intention to kill fired gunshot from his country made pistol on government vehicle of police party, from which, the police party was saved luckily. The truck driver was driving his vehicle in a negligent manner on the road. Due to traffic jam, the truck driver stopped his vehicle and started to run away by jumping over one person from the driver side and two persons from conductor side. The complainant with the help of other police officers arrested the petitioner along with two other persons. On checking the body of the truck, about 5500 kg fresh camel meat in large chunks was found inside the truck.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that the petitioner is neither owner nor driver of the above said LP truck and he is not the person, who fired gunshot on the police party. The trial is likely to take time to conclude and therefore, the petitioner is entitled to be enlarged on bail as no useful purpose will be served in keeping him behind bars.

Per contra, Mr. Saurabh Mohunta, DAG, Haryana, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner.

I have heard learned counsel for the parties.

I find no difference between killing of camel and goats.

The trial will take some time. The petitioner is in custody since 21.02.2020. No useful purpose will be served in keeping the petitioner in

jail pending trial. At this stage, without going into merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail pending trial on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

15.06.2020
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(RAJIV NARAIN RAINA)
JUDGE

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