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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 15935 of 2020 (O&M)
Decided on: 16.09.2020

Tahir Hussain

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.269 dated 23.06.2019, registered under Sections 5/13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 11/59/60 of the Prevention of Cruelty to Animals Act, 1960 at Police Station Ferozepur Jhirka, District Nuh.

The operative part of the order dated 23.06.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...This matter is being taken up for hearing through Video Conferencing due to outbreak of COVID-19.

This is the second petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 269 dated 23.06.2019, registered under Section 5/13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11-59-60 of Prevention of Cruelty to Animals Act, 1960 at Police Station Ferozepur Jhirka, District Nuh.

Learned counsel for the petitioner submits that the earlier petition was disposed of with a direction to

CASE HEARD THROUGH VIDEO CONFERENCING

petitioner to approach the Court of Sessions as his bail application was not decided on merits by the said Court.

Learned counsel for the petitioner further submits that as per the allegations in the FIR, the police party, on receiving a secret information, stopped a vehicle, however, one person from the conductor side ran away and the driver was apprehended, who disclosed his name as Mukeem. The said person further disclosed that the name of the person who ran away is Tahir Hussain (petitioner herein). On search of the vehicle, three feeble cows tied with ropes were found.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and earlier he was granted concession of interim anticipatory bail on 29.07.2019, however, the same was dismissed by the Court of Sessions on 09.08.2019 as the petitioner could not join investigation.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 23.06.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 23.06.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

16.09.2020
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No