

CRM-M-17842-2020

Date of decision :August 05, 2020

Jaikam

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 68 dated 23.05.2020 under Sections 188, 429 IPC; Section 13(2) of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015; Section 11 of Prevention of Cruelty to Animals Act (later Sections 188, 429 IPC deleted and Section 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 added) and Section 59-60 of Animals Cruelty Act, registered at Police Station Rojka Meo, District Nuh.

As per the allegations in the FIR, information was received by the police authorities from a member of Gauraksha Dal that the present petitioner alongwith other persons were involved in cow slaughtering. They were proceeding towards Pharpur, Rajasthan by loading cows on their vehicle i.e. RJ-14GK-2546. It is alleged that on receipt of this information, one LP truck was apprehended on 23.05.2020. The said truck stopped on being signalled by the police authorities. All the accused persons managed to flee from the spot. Eight cows were recovered in a

miserable condition, two of them being dead.

Learned counsel for the petitioner vehemently argues that identity of the petitioner is clearly suspect. Merely because, the petitioner was falsely involved in some other matters under the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, the petitioner's name has routinely been mentioned. It is argued that the vehicle recovered from the spot does not belong to the petitioner and he has no connection with the offence in question. Moreover, the petitioner, it is submitted has joined investigation and undertakes to extend full cooperation in the investigation of this matter. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Chanderpall, verifies that the petitioner was not apprehended on the spot and neither does the vehicle in question belong to the petitioner. On instructions from ASI Chanderpall, it is verified that the petitioner has joined investigation and his custodial interrogation is not required at this stage.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts, if afforded anticipatory bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 15.07.2020 is made absolute.

August 05, 2020
rts

(Lisa Gill)
Judge

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