

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

CRM-M-20042-2020

Date of decision: 04.08.2020

Isha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Rosi, Advocate for the petitioner.
Mr. Gagandeep Singh Chhina, AAG Haryana

ALKA SARIN, J.

Heard through video conferencing.

This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.74 dated 23.02.2020 registered under Sections 279, 336 and 307 of IPC and Section 13(2) of the Haryana Gauvansh Sanrakshshan and Gausamvardhan Act, 2015 and Section 11 of the Prevention of Cruelty to Animals Act, 1960 registered at Police Station Tauru, District Nuh.

The allegations in the FIR are that on 23.02.2020 the complainant namely Krishan Kumar, HC along with his fellow officials, was present at Village Jaurasi. A secret informant met the personnel on duty and gave them information that one Isha and Jeet Ram were in the business of cow slaughtering and that on that day they were taking cows in a Bolero Pick-up which did not have a registration number and if Nakabandi was done they could be apprehended. The complainant gave information to his fellow officials and they started a Nakabandi. The

further allegation in the FIR is that after about 15-20 minutes one Pick-up was seen coming from village Kalwadi side on highspeed and after seeing the Police party the driver tried to run over the Police party. The Bolero Pick-up driver then turned the vehicle back to Tijara side and ran away. Due to a traffic jam on the road of village Tijara, the driver and the accompanying person tried to jump out of the Bolero Pick-up and run away. Petitioner-Isha was apprehended on the spot but the co-accused Jeet Ram managed to escape.

It is the contention of the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. It is further contended that the petitioner is in judicial custody since 24.02.2020 and nothing is to be recovered from him.

On the asking of the Court, Mr. Gagandeep Singh Chhina, AAG Haryana has joined the session through Video Conferencing and, on instructions, has stated that the petitioner was apprehended at the spot whereas the co-accused managed to flee. It is further contended that cows have been transported in a Bolero Pick-up which does not have a registration number. One knife, axe and rope were also recovered at the spot. He has further submitted that the co-accused is yet to be apprehended and hence the present petition ought to be dismissed.

The allegations in the present FIR are that the petitioner and the co-accused were transporting cows for slaughtering in a Bolero Pick-up vehicle which did not have a registration number. On being stopped at the Nakabandi the petitioner and the co-accused tried to run over the Police party and flee from the spot. However, due to a traffic jam a little further away, the Police party managed to apprehend the petitioner while the co-accused managed to escape.

Without commenting on the merits of the case, I do not find this to be a fit case for grant of regular bail. The petition is dismissed.

04.08.2020
kv

(ALKA SARIN)
JUDGE

Whether speaking/reasoned **Yes/ No**
Whether Reportable **Yes/ No**