

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-20297-2020 (O&M)
Date of Decision:15.09.2020**

Bablu

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in FIR No.140 dated 21.06.2020 under Sections 13(2), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Sections 11, 59, 60 of Prevention of Cruelty to Animals Act and Section 120-B IPC at Police Station Nagina, District Nuh.

While issuing notice of motion, the following order was passed by this Court on 24.07.2020:-

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.140 dated 21.6.2020 registered under Sections 13(2), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, sections 11, 59, 60 of Prevention of Cruelty to Animals Act and

Section 120-B I.P.C at Police Station, Nagina, District Nuh.

Counsel submits that the FIR had been registered on the basis of secret information and on the basis of which a vehicle had been intercepted transporting 3 oxen and 4 cows. Name of the petitioner does not figure in the six persons named by the secret informer. Petitioner is sought to be implicated only on the basis that he carried a G.P.A from the registered owner of the vehicle.

Categoric contention is that the petitioner is not involved in any other case under the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015.

Notice of motion, returnable for 15.9.2020.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Mahesh Pal, informs the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the above, petition is allowed. Order dated 24.07.2020 passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

September 15, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No