

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

CRM-M-37849 of 2020.

Decided on:-December 01, 2020.

Rashid.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Rosi, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.154 dated 13.10.2020 under Section 13(2) of the Haryana Gauthansh Sanrakshan and Gausamvardhan Act, 2015, Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 120-B, 34 IPC registered at Police Station Rozka Meo, District Nuh.

As per the FIR, on 13.10.2020, when the police officials were on patrolling duty at Rewasan-Kankar Kheri Road, KMP Flyover, a secret information was received against the petitioner and co-accused Wasim @ Wassi. As per the information, both the accused were indulged in cow

slaughtering and were taking cows in Bolero pick-up vehicle bearing registration No.RJ-32GB-6011. Accordingly, raid was conducted and the Bolero vehicle was intercepted. The petitioner, who was driving the vehicle managed to flee away from the spot, whereas co-accused Wasim also managed to flee away from the conductor side of the vehicle. On checking, five cows tied in a cruel manner in the vehicle along with a plastic bag containing a dragger, one axe and 8 meter rope were recovered. The petitioner is registered owner of the Bolero vehicle.

Learned counsel for the petitioner has argued that the petitioner has falsely been implicated in the case. He has been named as accused for the sole reason that he is registered owner of the Bolero vehicle from where the cows were recovered. There are no details of secret informer and there is no other case against the petitioner.

Learned State counsel has argued that not only the petitioner has been specifically named in the FIR, he is registered owner of the Bolero vehicle as well. His identity is fully established. On noticing the police party, he managed to flee away from the spot.

I have heard learned counsel for the parties.

The allegation against the petitioner is that the Bolero vehicle which was being driven and owned by the petitioner, was intercepted by the police and from the vehicle, a plastic bag containing a dragger, one axe and 8 meter rope as well as five cows tied in a cruel manner were recovered. The petitioner was identified by the secret informer, however, the petitioner managed to flee away from the spot.

The allegations levelled against the petitioner being serious in nature, this Court does not find any reason to grant anticipatory bail to him.

Accordingly, the present petition, being devoid of any merit, is dismissed.

It is made clear that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case. The trial Court shall not be influenced with the observations made hereinabove in any manner.

December 01, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No