

103 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-2154-2021
Decided on : 15.01.2021

Haseen

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mohd. Arhsad, Advocate
 for the petitioner.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.380 dated 05.10.2019 registered under Sections 279, 336 IPC and Section 11 of Prevention of cruelty to animals Act, 1960 and Section 13(2) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Punhana, District Nuh, Mewat.

On a pointed query put to learned counsel for the petitioner as to what was the substantial change in circumstances, which would merit an acceptance of second petition under Section 438 Cr.PC, learned counsel for the petitioner submits that while dismissing the first petition under Section 438 Cr.PC on 20.07.2020, this Court was wrongly apprised by the learned State counsel that there were as many as four cases pending against the petitioner. Learned counsel has submitted that in fact only two cases stand registered against the petitioner.

Notice of motion.

On the asking of Court, Ms. Tanushree Gupta, DAG, Haryana accepts notice on behalf of the respondent-State. She has vehemently opposed the prayer and submission of learned counsel for the petitioner and on instructions from SHO Punhana has submitted that learned counsel for the petitioner is making on incorrect statement that only two cases stand registered against the petitioner. Learned counsel for the State has reiterated that the petitioner is in fact involved in four cases including two cases registered in the State of Rajasthan.

Be that as it may, a perusal of the FIR in question reveals that it was subsequent to a secret information received by the investigating agency, that the vehicle, which was loaded with the cattle, was apprehended along with the petitioner from the spot.

Accordingly, no ground is made out to extend the concession of anticipatory bail to the petitioner as the learned counsel for the petitioner has failed to satisfy this Court qua any substantial change in circumstances subsequent to the dismissal of the earlier petition on 20.07.2020. Hence, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

15.01.2021

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No