

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

210-A

**CRM-M-3945-2021 (O&M)
Date of Decision: 09.07.2021**

SABIR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Pardeep Prakash Chahar, D.A.G. Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in case FIR No.329 dated 01.09.2020 registered under Sections 3, 13(1) and 13(3) of the Haryana Gouvansh Sanrakshan and Gausamvardhan Act, 2015, at Police Station Punhana, District Nuh, Haryana.

Learned counsel for the petitioner submits that the raid was conducted on the basis of a secret information; that neither the petitioner was arrested at the spot nor was any recovery effected from him; that no specific role has been attributed to the petitioner and that co-accused, namely, Sakir has been granted the concession of bail. He further submits that the petitioner has been in custody since 30.10.2020.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that recovery of cow beef weighing 250

k.g. was effected and that there are 02 more cases registered and pending against the petitioner. He further submits that though the challan has been presented, yet the charges are yet to be framed.

At this stage, learned counsel for the petitioner, while controverting the aforesaid submissions made by the learned State counsel, submits that in one FIR registered under Section 307 IPC, the petitioner is on bail and another FIR pertaining to the similar nature is of the year 2007.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.10.2020. Charge is yet to be framed. Further keeping in view the prevailing situation of Covid-19 pandemic, the trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

09.07.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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