

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

207

CRM-M-9422-2020

Date of Decision:16.08.2021

BHURA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Farukh Abdullah, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.34 dated 04.02.2020, registered under Section 5/13(2) HGS & GS Act, 2015, at Police Station Puhana, District Nuh, Annexure P-1.

On 12.03.2020, this Court passed the following order:-

“Learned counsel for the petitioners submitted that a false case has been registered against the petitioner as perusal of FIR itself shows that the allegation of transporting the cattle to other State is not made out and the provisions of Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 are not attracted.

List on 27.05.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from HC Yogesh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation but he is involved in another FIR with almost similar allegations.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 12.03.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

However, the petitioner shall also furnish an undertaking to the effect that henceforth, he shall not get involved in any other criminal activity. In case, he violates the undertaking, it shall be open to the prosecution to seek cancellation of his bail.

16.08.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No