

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10039-2020

DATE OF DECISION: JULY 29, 2021

FAKRUDDIN @ BODA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MS. ROSI, ADVOCATE FOR THE PETITIONER.
KANWAR SANJIV KUMAR, AAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0155 dated 20.2.2019, under Section 279, 336, 353, 186, 307, 120-B IPC, Section 13(2) Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Section 11 Prevention of Cruelty to Animals Act, 1960 and Section 25 Arms Act, 1959, Police Station Nuh, District Nuh. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has argued that the police attempted to intercept the vehicle bearing Registration No.MH-04-HD-2767 containing cows. Due to traffic jam, the occupants attempted to run away and one of the accused persons fired at the police. According to the learned counsel for the petitioner, accused Shareef was arrested from whom one country made pistol was recovered, however, no injury was suffered by anyone. She has pointed out that the alleged vehicle was driven by accused Jabid and the petitioner is one of the other accused persons who ran away

from the spot. She has submitted that the petitioner was falsely implicated and vide order dated 6.3.2020, the petitioner was directed to join the investigation. She has submitted that the petitioner in compliance of the order dated 6.3.2020 joined the investigation.

Learned State counsel who is assisted by ASI Kalyan Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 6.3.2020, is made absolute.

July 29, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No