

In virtual Court

CRM-M-17272-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17272-2021 (O&M)
Date of decision: 28.04.2021

Sadiq

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Mr. A.S. Narwal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.448 dated 19.10.2015 under Sections 279, 337, 333, 353, 186, 307, 34 IPC, Section 25 (Act No.54) of Arms Act and Sections 4-AB, 8 of Cow Slaughtering Act, 1955, registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner submits that the FIR was registered on 19.10.2015 and thereafter, during the investigation, on the basis of disclosure statement of co-accused, the petitioner was nominated in the present FIR. It is further submitted that after the petitioner was arrested, his disclosure statement was recorded that he has thrown the pistol in Yamuna River, therefore, it will be a matter of trial whether the police, when arrested other accused during the investigation and having failed to recover the weapon of

In virtual Court

CRM-M-17272-2021

-2-

offence, has now recorded disclosure of the petitioner that the same has been thrown in a river. It is also submitted that co-accused of the petitioner are already on bail and except this allegation, there is no direct allegation against him that he was part of the group, which was travelling in the vehicle, in which the cows were transported.

Learned State counsel has filed the custody certificate dated 28.04.2021 in the Court today, according to which, the petitioner is involved in some other cases.

Without commenting anything on merits of the case, considering the fact that the petitioner was arrested on the basis of disclosure statement much after registration of the FIR and he is in custody since 22.12.2020; challan has already been presented, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

28.04.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No