

AT CHANDIGARH

CRM-M No.23778 of 2021

Date of Decision : 19.07.2021

Sakir

...Petitioner

Versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : None for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.42 dated 16.03.2021 registered under Sections 13(2) and 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11, 59 & 60 of Prevention of Cruelty to Animals Act, 1960 at Police Station Rojka Meo, District Nuh to which Sections 120-B, 420, 467, 468 & 471 IPC were added later on.

3. On 22.06.2021, the following order was passed:-

“ Case has been heard through video conferencing on account of Covid-19 Pandemic.

CRM-17104-2021

Allowed as prayed for subject to all just exceptions.

Main Case

Notice of motion.

Mr. Naveen Singh Panwar, DAG, Haryana accepts notice on behalf of the respondent-State.

As per the allegations in the FIR two vehicles i.e. Tata 407 and Eicher canter carrying cattle were apprehended by the police on the basis of secret information and two persons namely Tasleem and Aamin were arrested at the spot and while the other occupants of the vehicles succeeded in escaping. As per the allegations, at the time of aforesaid recovery the petitioner was travelling in Eicher canter and he also succeeded in escaping from the spot. The alleged recovery has already been effected in this case.

In the light of the above, the petitioner is hereby directed to join investigation with the police. In case of his arrest, he is directed to be released on interim bail by the Investigating Officer to his own satisfaction till the next date of hearing. The petitioner should join investigation with the police well in time before the next date of hearing and should abide by the conditions envisaged in Section 438(2) Cr.P.C.

*Now the case is adjourned to **19.7.2021**.*

Report of SHO be also called for that date. ”

4. Although, request has been received from learned counsel for the petitioner for an adjournment on account of her being out of station, yet learned State Counsel fairly on the basis of instructions from *HC Raj Kumar*, states that pursuant to the order of this Court dated 22.06.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State Counsel, order dated 22.06.2021, passed by this Court, is made absolute. The petitioner

shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

19.07.2021
'Rajneesh/Amit'

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