

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

**CRM-M-27133-2021
Date of decision: 15.07.2021**

Saddam @ Sabir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Munfaid Khan, Advocate
for the petitioner.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 96 dated 03.06.2019, registered under Sections 15/13(2), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015; Section 11-59-60 of the Animals Cruelty Act, 1959 and Sections 483, 120B of the IPC at Police Station Bichhor, District Nuh.

Learned counsel for the petitioner submits that as per allegations in the FIR, which was registered on the basis of a secret information that the petitioner and co-accused are indulged in transporting cows from Haryana to Uttar Pradesh, the police party set up a barrier and stopped a truck. When the truck was stopped, three persons jumped from the said truck and ran away. The police officials tried to catch them but remained unsuccessful.

Learned counsel further submits that it is the case of the prosecution that the secret informer has identified those persons as petitioner Saddam-driver, Sapat-conductor and Mormal-another conductor

of the truck. It is further submitted that as per FIR, 20 cows and 05 bulls were recovered from the said truck.

Learned counsel for the petitioner further submits that petitioner is not involved in any other case and he is not facing any trial.

Learned counsel further submits that since the petitioner was not arrested at the spot, it will be a debatable issue whether his identity is proved.

Notice of motion.

Mr. Deepak Kumar Grewal, DAG, Haryana, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and could not dispute the fact that petitioner is not involved in any other case.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the aforesaid submissions of learned counsel for the parties, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

15.07.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No