

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

**CRM-M No.37100 of 2021
Date of Decision:-08.10.2021**

Mohammad Shoeb

.....Petitioner.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Jamshed Ahmed, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case pertaining to the FIR bearing No.84 dated 03.02.2020 registered at Police Station Hansi City, District Hansi, under Sections 11, 59, 61 of the Prevention of Cruelty to Animals Act, 1960 and Section 13(2), 3 and 17 of the Haryana Govansh Sanrakshan and Gausamvardhan Act, 2015, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Shorn and short of unnecessary details, the allegations as levelled in this case, are that the petitioner and his co-accused were transporting the cattle-head in a truck/container for slaughtering and on being intercepted by the complainant on the way, both of them managed to flee away from the spot leaving their vehicle bearing registration No.RJ-14-GJ-6730 there and 20 oxen were found to have been mercilessly stuffed

in the said vehicle.

Learned State counsel has forwarded the Pairvi-report, along-with the copies of the warrants of arrest as issued against the petitioner from time to time as well as the General Diary Details, to this Court through *e-mail* and the same have been placed on the record.

I have heard Mr. Jamshed Ahmed, learned counsel for the petitioner and learned State counsel in the present petition and have also gone through the file thoroughly.

Learned counsel for the petitioner contends that the name of the petitioner does not find mention in the FIR and rather, he has been roped in as an accused in this case on the basis of the disclosure statement allegedly suffered by his co-accused named Sachin whereas, in fact, he had no concern with and no role to play in the alleged crime and therefore, he deserves the relief as prayed for in this petition.

Per contra, learned State counsel argues that the petitioner has been evading his arrest in this case since long and he had escaped from the spot on the day of the occurrence, i.e on 03.02.2020 and even the warrants of arrest, as issued against him from time to time, have remained unexecuted and in these circumstances, this petition be dismissed.

As per the allegations levelled in the above-said FIR, the driver of the afore-said vehicle, along-with one more person, had managed to run away from the spot leaving their vehicle there. The cattle-head (20 oxen) were found to have been mercilessly stuffed/loaded in the same. The co-accused of the petitioner named Sachin was arrested in this case as he

was found to be the registered owner of the said vehicle and he had allegedly suffered a disclosure statement nominating the petitioner as his co-accused in this case. Further, the said FIR was registered on 03.02.2020 and a perusal of the documents, forwarded by learned State counsel, along-with the Pairvi-report, shows that the warrants of arrest have already been issued against the petitioner on several occasions but the same remained unexecuted and this fact goes to show that the petitioner has intentionally been evading his arrest in this case.

Keeping in view the above-discussed facts and circumstances as well as the nature of the allegations levelled against the petitioner in the present case, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed.

October 08, 2021

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*