

CRM-M-11184 of 2022

[1]

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11184 of 2022

Date of Decision: 17th May, 2022

Mustakim

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Munfaid Khan, Advocate for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

This is a petition seeking anticipatory bail in FIR No. 88 dated 18.2.2022, under Sections 5/13(2), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11-59-60 of Animals Cruelty Act, 1960 registered at Police Station Sadar Nuh.

On 16.3.2022, following order was passed:

“The petitioner seeks anticipatory bail in FIR No.88 dated 18.2.2022, under Section 5/13(2) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardan Act, 2015 and Sections 11-59-60 of Animals Cruelty Act, 1960 registered at Police Station Sadar Nuh.

On 18.2.2022 acting on a secret information the police party checked vehicle bearing registration No. HR-47B-5575. Twenty-three live stocks were recovered. The petitioner was allegedly one of the occupants of the vehicle.

Learned counsel for the petitioner submits that it is a case of false implication, he has been roped due to his involvement in other two FIRs. He further submits that no recovery is to be made.

Learned counsel for the State opposes the prayer

for grant of anticipatory bail. She submits that the petitioner is owner of the vehicle.

Without commenting on the merits of the case and considering that the truck and live stocks were recovered, no further recovery is to be made, the petitioner is granted interim bail subject to his joining investigation within a week. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 1.4.2022.”

On 1.4.2022, learned counsel for the State on instructions submitted that the petitioner had not joined the investigation. Another opportunity was granted by directing the petitioner to join the investigation within 15 days.

Today again, the position is same. Learned counsel for the State, on instructions from ASI-Bhupinder Singh submits that the petitioner has not joined the investigation.

Learned counsel for the petitioner is not in a position to contradict the statement made by learned counsel for the State.

Considering the conduct of the petitioner, no case is made out for pre-arrest bail.

The petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

17th May, 2022

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Whether reasoned/speaking
Whether reportable

Yes/No

Yes/No