

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM-M-13814-2021

Date of Decision : February 08, 2022

Javed

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhinav Sood, Advocate, for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 344 dated 06.11.2020, under Section 307 of the Indian Penal Code, 1860, besides Sections 5, 8, 13 (2) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11 and 59 of the Prevention of Cruelty to Animals Act, 1960 and Sections 27 and 54 of the Arms Act, 1959, registered at Police Station Hathin, District Palwal.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 25.03.2021. Order dated 25.03.2021 is as under:-

“The petitioner is seeking anticipatory bail in FIR No. 344 dated 06.11.2020, under Section 307 of the Indian Penal Code, 1860, besides Sections 5, 8, 13 (2) and 17 of the

Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 11 and 59 of the Prevention of Cruelty to Animals Act, 1960 and Sections 27 and 54 of the Arms Act, 1959, registered at Police Station Hathin, District Palwal.

Learned counsel for the petitioner contends that it is alleged that three cows were being transported in a mini truck. He, however, contends that no harm had been caused to the cows, as there was no injury. It is also alleged that the petitioner had fired shots on the complainant party, but no empty was recovered. He also contends that no injury was caused to the complainant.

Issue notice to the respondent.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of the respondent-State.

List on 13.05.2021.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ”

Learned State counsel, on instructions from ASI Amar Singh, states that in terms of the order of the Coordinate Bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 25.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they shall be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

February 08, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No