

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

**CRM-M No. 13374 of 2022
Date of Decision: 31.03.2022**

Harun

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Suman Kumari Bishnoi, Advocate for
Mr. Sarfaraj Anjum Mor, Advocate, for the petitioner.

Mr. Pradeep Prakash Chahar, Deputy Advocate General, Haryana

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No. 128 of 26.06.2021, which was registered against him, at Police Station Nagina, District Nuh, Haryana, constituting therein offences under Sections 5/13(2) of the Haryana Gauvansh and Gausamvardhan Act, 2015.

2. The learned counsel for the petitioner contends that in respect of the other co-accused, namely, Aslam, Sagoon, and, Ishaq, this Court has proceeded to, through orders respectively made on 07.09.2021, on 07.09.2021, and, on 15.02.2022, upon CRM-M-33612-2021, upon CRM-M-31314-2021, and, upon CRM-M-6449-2022, grant them pre-arrest bail. The afore orders are respectively appended with the petition as Annexures P-3 to P-5. Since, the incriminatory role of the present bail petitioner is similar to the above, hence on the principle of parity, similar thereto treatment is to be granted to the present bail petitioner.

3. The learned State Counsel does not contest the afore contention, however, he opposes the grant of pre-arrest bail to the bail

applicant, on the ground that the bail applicant is an habitual offender.

4. The afore made submission is benumbed, upon this Court, making stringent conditions upon the bail applicant, inasmuch as his making an undertaking before the Investigating Officer concerned, that he shall not re-indulge in any criminal activity, whereupon, on breach thereof, the benefit of anticipatory bail, as granted to him shall become *ipso facto* annulled, leaving liberty to the Arresting Officer, to forthwith arrest him, and, to thereafter, produce the bail applicant before the learned Magistrate concerned, for appropriate directions, *vis-a-vis*, an order of judicial custody being made, upon him.

5. Consequently, with condition (supra), the instant petition is disposed of. In sequel, it is ordered that in the event of arrest of the bail applicant-petitioner, he be released, by the Investigation Officer, on his furnishing personal and surety bonds in the sum of ₹ 50,000/- each, before him, and, also subject to his not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also, as and when he is summoned by the investigating officer, through a written Hukamnama, his cooperating in the investigations to be made into the offence(s) concerned.

March 31, 2022

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>