

CRM-M-34939-2021 (O&M)

Through video conference
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M-34939-2021 (O&M).
Decided on: March 10, 2022.

Sajid @ Bhura

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sanyam Khetarpal, Advocate,
for the petitioner.**

Mr.Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail in FIR No.105 dated 21.4.2021, under Sections 8/13 (3), 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Sadar, Tauru, District Nuh.

Learned counsel for the petitioner has submitted that on

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26.8.2021 notice of motion was issued and the petitioner was granted interim bail and in pursuance of the said order, he has already joined investigation and has fully cooperated with the investigation process and therefore, he has prayed that interim order dated 26.8.2021, may be made absolute. He submitted that the name of the petitioner was nominated on the basis of disclosure statement made by co-accused namely Assar which is a weak piece of evidence and the vehicle also belonged to the other co-accused who had also taken it on supurdari through the Court order vide Annexure P-3 and so far as the present petitioner is concerned, his name was nominated only because of the reason that he was earlier also involved in such cases and therefore, the present case has been planted upon the petitioner. He further submitted that be that as it may, the petitioner has since joined the investigation and therefore, custodial investigation of the petitioner would not be required.

On the other hand, learned State counsel has submitted that it is correct that in pursuance of the interim order, the petitioner has already joined investigation but some weapons are to be recovered from the petitioner.

On a query being put as to what kind of weapons are to be recovered as it is a case of slaughtering of some animals, it has been submitted by learned counsel for the petitioner that the weapons would be pertaining to the slaughtering of animals.

I have heard the learned counsel for the parties.

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The petitioner has already joined investigation in pursuance of the interim order dated 26.8.2021, passed by this Court and the name of the petitioner was nominated on the basis of disclosure statement only and the the vehicle had already been released on supurdari to its owner who is not the petitioner.

In view of above, the present petition is allowed. Interim order dated 26.8.2021, is made absolute.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

March 10, 2022	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No