

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 31319 of 2023
Reserved on : 21.09.2023
Pronounced on :22.09.2023

AZAD @ AJIT

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

.....

SANJIV BERRY, J.

The instant petition has been preferred by the petitioner under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
157	19.06.2022	429, 34, IPC and 11 of The Prevention of Curelty to Animals Act, 1960 and 13 (1), 13(2) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015. 420-IPC added lateron	Nangal Chaudhri, District Mahendergarh (Haryana)

2. In nutshell the case of the prosecution is that aforesaid FIR was

registered on the statement of one Navneet intimating the police that on 19.06.2022 he along with other member of Goraksha Dal were present in village Nangal Chaudhri and got information that some persons carrying cows were coming from Rajasthan side and would go to Mewat. At about 4:30 am, a vehicle coming from Rajasthan side was stopped and the driver thereof ran away after leaving the vehicle and it was found that it carried 17 cows out of which one was found dead. On the basis of the statement FIR was registered and subsequently the present petitioner was arrested.

3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is in custody since 18.05.2023 and no recovery was affected from the petitioner and the conclusion of trial will take sufficient time as such he prayed for grant of concession of bail.

4. Learned State counsel on the other hand opposed the bail application by submitting that petitioner is involved in heinous crime in carrying cows in his vehicle for purpose of slaughtering. He further submits that even vehicle recovered from the spot was displaying fake registration number and hence he is not entitled to concession of bail.

5. After considering the rival contentions and perusing the record, admittedly the petitioner was arrested on 18.05.2023 in this case. From the vehicle, 17 cows including one dead cow were recovered. The petitioner is in judicial custody and as such not required for further investigation. The completion of investigation and consequent conclusion of trial will take a sufficiently long time and no purpose would be served by detaining the

petitioner in custody any longer.

6. Considering these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

22.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |