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

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CRM-M-33323-2023

Date of decision : 22.09.2023

Juber**..... Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 14.07.2023, following order was passed:-

“Apprehending his arrest in FIR No.427 dated 24.07.2022, registered under Sections 307/34/120-B IPC 1860 and Section 13(2) of the Haryana Govansh Sanrakshan & Gosamvardhan Act, 2015, Section 11 of Prevention of Cruelty to Animals Act, 1960 & Section 25 of the Arms Act at Police Station Mujesar, District Faridabad, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner *inter alia* contends that the only allegation against the petitioner is that he was owner of the vehicle in which the cattle stock was being transported whereas petitioner is neither registered owner nor the attorney holder qua the same.

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On the asking of the Court, Mr. Gaurav Bansal, DAG, Haryana, appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

2. Today, learned State counsel, on instructions from SI Karambir, has stated that pursuant to the order dated 14.07.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 14.07.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. This order should not be treated as "blanket" order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.

6. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

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7. It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
8. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.
9. Disposed off accordingly.

(PANKAJ JAIN)
JUDGE

22.09.2023

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Whether speaking/reasoned :	Yes
Whether Reportable :	No