

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.207

Case No. : CRM-M-36514-2023

Date of Decision : October 16, 2023

Sarif Petitioner
vs.
State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Nafeesh Ahmed, Advocate
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

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GURBIR SINGH, J. :

1. This is second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.0411 dated 10.11.2022, under Section 13(2) (Section 17 added later on) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 279, 307, 336, 34, 427 IPC, 1860 (Section 476 IPC added later on) and Section 11 (Sections 59 & 60 added later on) of the Prevention of Cruelty to Animals Act, 1960, registered at Police Station Sector 56, District Gurugram.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 10.11.2022. The trial has not yet started. Three co-accused have already been granted bail. The earlier bail petition filed by him was dismissed by this Court vide order dated 25.05.2023 (Annexure P-2) mainly on the ground that the petitioner tried to conceal about registration of another case against him. However, learned counsel for the petitioner has

3.

Learned State counsel, on the other hand, has opposed the bail petition by submitting that the petitioner is named in the FIR. The petitioner is also involved in another case of similar nature. The allegations against the petitioner are quite serious. However, she has admitted that the petitioner is in custody since 10.11.2022 and trial of the case has not yet started.
4.

I have heard learned counsel for the parties and have perused the case file.
5.

The petitioner is languishing in jail for the last more than 11 months. Trial of the case has not yet started. There are 36 witnesses, cited in the challan presented before the Court below. The completion of trial will certainly take a long time. The petitioner has already been granted bail in the other case registered against him. No useful purpose would be served with further detention of the petitioner.
6.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate concerned.
7.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.
8.

Pending applications, if any, shall stand disposed of along with the present petition.

October 16, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.