



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-18258-2024

Date of decision: 10.09.2024

Waseem

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. U.M. Khan, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.196 dated 19.11.2023 under Sections 3/13(1), 8/13(3) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 registered at Police Station Bichhore, District Nuh.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of some party faction in the village. After he was arrested on 10.01.2024, although challan was presented soon thereafter, however, charges have not yet been framed, hence, his further incarceration, in the circumstances, would serve no useful purpose moreso when 13 prosecution witnesses have been cited.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has placed on record the custody certificate of the petitioner, and asserted that a perusal of the custody certificate leaves no manner of doubt that the petitioner is a

**CRM-M-18258-2024**

habitual offender and this is not for the first time that he has been involved in similar crime; it has been argued by the learned State counsel that the petitioner is booked for various offences not only under the Arms Act, 1959 but even under the IPC including offences under Sections 376, 302, 395 of the IPC. It has also been submitted by the learned State counsel on instructions that the petitioner in the present case was specifically named in a secret information, however, on being intercepted by the police, the petitioner managed to flee away from the spot; one of the co-accused was apprehended and from the vehicle in which the petitioner was travelling 80 kgs of fresh cow beef, one male calf and one cow (black and white), cleaver, a gunny sack, an iron DAO (chopper), an iron sharpener, a traditional weighing instrument (taraju), a weight of 2 kgs, a wooden log, poly-packs and a splendor motorcycle, were recovered which were being transported by the petitioner and the co-accused. It has also been submitted by the learned State counsel that charges have not yet been framed and in case the petitioner is enlarged on bail, there is every likelihood that he could misuse the liberty, as has also been done by him in the previously instituted cases wherein after being enlarged on bail, he had yet again been involved in other criminal cases.

4. After arguing for some time, learned counsel for the petitioner prays for withdrawal of the instant petition.

5. Dismissed as withdrawn.

10.09.2024

Vinay

(MANJARI NEHRU KAUL)**JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No