



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

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**CRM-46751-2024 IN/&
CRM-M-49926-2024 (O&M)
Date of Decision:- 28.11.2024**

JAFRU ALIAS JEFRU

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. P.S. Chauhan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, DAG Haryana.

SANJIV BERRY, J. (ORAL)

CRM-46751-2024

1. The present application has been filed seeking preponement of the main petition, which is pending before this Court for 12.12.2024.

2. Heard.

3. Keeping in view the averments made in the application, the same is allowed. The main petition i.e. CRM-M-49926-2024 is ordered to be preponed and is taken on board today itself.

CRM-M-49926-2024

1. Status report dated 12.11.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Rewari, District Rewari is taken on



record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.
3. The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 , for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
428	17.12.2022	13(1), 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015; 11 of Prevention of Cruelty to Animals Act, 1960	Dharuhera, District Rewari

4. 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 contends that the petitioner was not named in the FIR, but his name surfaced in the alleged disclosure statement of co-accused Kamrudin, who in fact was nominated in the disclosure statements of co-accused Vinod Kumar and Raja Ram, who were apprehended by the Police. He submits that the petitioner has no concern with the alleged transaction and even no recovery of any incriminating article has been effected from the petitioner after his arrest. He further submits that challan has been presented in Court and the conclusion of trial is likely to take considerable long time, thus, prays for grant of bail to the petitioner.
5. *Per contra*, learned State counsel while referring to the status report has opposed the bail petition on the ground that petitioner is involved in a heinous crime and already having a number of cases registered against



him, thus, he does not deserve the concession of bail.

6. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on a secret information received by SI Ram Chander on 17.12.2022 that some members of Bajrang Dal have caught a vehicle loaded with calves. Accordingly, the FIR was registered and co-accused Vinod Kumar and Raja Ram were apprehended by the Police along with 3 Oxes. Subsequently, on their disclosure statements, co-accused Kamrudin was arrested. The name of the petitioner figured in the disclosure statement made by said Kamrudin that the petitioner had been piloting the said vehicle. Accordingly, the petitioner was arrested on 02.07.2024 and after the completion of investigation, challan has been presented for trial in the Court of Magistrate. Admittedly, no recovery of any incriminating article has been effected from the petitioner after his arrest and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

7. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; 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.



8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
9. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

28.11.2024
S.Sharma(syr)

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