



221

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

CRM-M-64632-2024 (O&M)

Date of decision : 24.02.2025

Wakil Khan @ Wakeel Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. Neeraj Sheoran, DAG, Haryana assisted by
Assistant Sub Inspector Girish.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of bail pending trial to the petitioner in FIR No.201 dated 26.04.2024, under Sections 420, 467, 468 and 471 of the Indian Penal Code, 1860 (for short, 'the IPC'); Sections 5, 13(2) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015; Section 11 of Prevention of Cruelty to Animals Act, 1960 and Section 3(2) of Prevention of Damage to Public Property Act, 1984, registered at Police Station Hodal, District Palwal.

2. Allegations are that petitioner along with co-accused were suspected to be involved in smuggling of cows in their truck with fake number plate and when signalled by the police to stop, they sped away;



rammed into a grill as well as electric pole on NH-19, damaging the Government property.

3. Contends that the petitioner is in custody since 26.04.2024; after investigation report under Section 173 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') was presented on 25.07.2024 and charges were framed on 13.08.2024, but out of total 16 prosecution witnesses, only three witnesses have been examined till date. Also contends that there is no other criminal case pending against the petitioner.

4. Learned State counsel, on instructions, duly acknowledged the above factual position; but he opposed the prayer on the ground that allegations are very serious.

5. Heard both sides and perused the paper-book.

6. It transpires that petitioner is in custody since 26.04.2024; report under Section 173 Cr.P.C. was presented on 25.07.2024 and charges have already been framed on 13.08.2024, but out of total 16 prosecution witnesses, only three have been examined so far; therefore, conclusion of trial may take sufficient long time. It is also not the objection of State that in case, petitioner is released on bail, he may influence the witnesses or hamper the course of trial, in any manner; thus, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of



learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

24.02.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No