

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

CRM-M No.18554 of 2015.

Date of Decision: July 03, 2015.

Haji Dilshad Qureshi @ Mohammad DilshadPetitioner.

VERSUS

State of PunjabRespondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Jai Bhagwan, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

SNEH PRASHAR, J.

A petition under Section 438 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of anticipatory bail was filed by the petitioner in case First Information Report No.87 dated 16.04.2015 under Sections 307, 295-A, 153-A of the Indian Penal Code (in short, "I.P.C.") and section 4-A, 4-B and 8 of the Protection of Cow Slaughter Act and 11 of Prevention of Cruelty to Animal Act, 1960 registered at Police Station Barnala.

According to the prosecution version, on 16.04.2015 at about

5:00 a.m., when in pursuance of an information received Anil Bansal alias Nana, President of Gauraksha Dal, Barnala and his companions were trying to intercept Truck No.HR-37A/5386 which was coming from the side of Moga and was loaded with cows, the driver tried to run over them and after the truck had to be stopped at the railway crossing, which was closed, the driver and the other occupants alighted from the truck and ran through the railway track towards the police line.

The persons who fled were identified by the complainant as Kaka, resident of Khasewala, Malerkotla and Hazi Dilshad also resident of Malerkotla.

The complainant stated that the said persons were dealing in the business of cow slaughtering. On search of the truck, 12 oxes were recovered from the same.

Heard the submissions made by Mr. Jai Bhagwan, learned counsel representing the petitioner and Mr. Ashish Sanghi, learned Deputy Advocate General, representing the State of Punjab.

It was submitted on behalf of the petitioner that he had been falsely implicated by the complainant for certain personal reasons. No injury was suffered by the complainant or any of his companions. The story presented in the complaint was false and concocted. Submitting that recovery of the oxes, if any, has already been made by the police and the co-accused of the petitioner Mohd. Salim has already been granted regular bail by the learned Additional Sessions Judge, learned counsel submitted that the petitioner be given the concession of anticipatory bail.

The petitioner was identified by the complainant when he alighted from the truck and fled away. As per allegation, 12 oxes were recovered from the truck. It was also the allegation of the complainant that the petitioner was engaged in the business of cow slaughtering. It is further the allegation that when Dashmesh Mittal, companion of the complainant, tried to stop the truck, the driver tried to hit him. There are specific and direct allegations against the petitioner and for complete investigation into the matter, his custodial interrogation is necessary.

Thus, considering all aspects of the case and finding grave allegations against the petitioner, in my considered opinion, no case for release of the petitioner on anticipatory bail is made out and the petition is dismissed.

(SNEH PRASHAR)
JUDGE

July 03, 2015
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