

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.21617 of 2015
Date of Decision : 24.08.2015

Mustaq

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Ms. Tanushree Gupta, DAG, Haryana.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

On 07.07.2015 the following order was passed :-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.389, dated 13.06.2015, under Sections 4A/8, 2/80 of the Punjab Prohibition of Cow Slaughter Act, 1955 and Section 11 of the Animal Cruelty Act, registered at Police Station Nuh, District Mewat.

Learned counsel for the petitioner contends that FIR has been registered on the basis of suspicion, merely saying that cows were being loaded in the vehicle. It cannot be presumed that cows are loaded for the purpose of slaughtering. It is common that the cows are sold at various places and for that purpose, they are taken in trucks and other vehicles. Learned

counsel further contends that merely on the basis of suspicion, petitioner has been involved.

Notice of motion to the Advocate General, Haryana, for 24.08.2015.

Meanwhile, in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall, however, join investigation as and when called for and he will also abide by the conditions as specified under Section 438(2) Cr.P.C."

Learned Deputy Advocate General on instructions from H.C. Surender Singh, Police Station Nuh, Mewat has stated that pursuant to the interim order dated 07.07.2015 the petitioner has joined the investigation and he is no more required for custodial interrogation.

In view of the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 07.07.2015 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

24.08. 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**