

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

CRM-M-27260-2015

Date of decision: 18.12.2015

Afjal

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Pulkit Dagar, Advocate for
Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.103 dated 20.05.2015 under Sections 3/8, 5/8 of the Punjab Prohibition of Cow Slaughter Act, 1955, registered at Police Station Ferozepur Jhirka, District Mewat.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that petitioner has joined the investigation and cooperated with the investigating agency. He further submits that since nothing more is to be recovered from the petitioner, his custodial interrogation would not be required. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Manoj Kumar, Police Station Ferozepur Jhirka, Mewat, submits that since the skeleton is yet to be recovered from the petitioner, he is not entitled for anticipatory bail. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that since beef has already allegedly been recovered from the petitioner, his custodial interrogation is not required for the purpose of any further investigation.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the case of either side at a later point of time, instant petition is allowed and the order dated 16.09.2015 passed by this Court, is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

18.12.2015
vishnu