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

C.R.M-M No.18968 of 2016

Date of Decision : 02.09.2016

Rakesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Puneet Sharma, Advocate
for Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.13 dated 06.05.2016, registered under Section 4(a) of the Punjab Prohibition of Cow Slaughter Act, 1955 and the Prevention of Cruelty of Animals Act,

1960, at P.S. Narot Jaimal Singh (Pathankot).

On 03.06.2016 the following order was passed:-

“Prayer is for grant of anticipatory bail to accused petitioner Rakesh Kumar in case FIR No.13 dated 6.5.2016 under Section 4(a) of The Punjab Prohibition of Cow Slaughter Act,1955 and Prevention of Cruelty to Animals Act,1960, PS Narot Jaimal Singh,Pathankot.

On a secret information on 6.5.2016 two persons i.e., the petitioner accused and co-accused Manmohan Lal were sighted ferrying cow bulls from Punjab side across the border to J&K for the purported purpose of slaughtering.

It is contended that petitioner was not apprehended at the spot and it is not believable that he could flee on foot.

Notice of motion for 2.9.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C. ”

Learned Additional Advocate General on instructions from the investigating officer has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the

case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 03.06.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

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

September 02, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No