

CRM-M-44272-2016

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

CRM-M-44272-2016

Date of Decision: 24.01.2017

Salmu alias Salmuddin

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Arjun Attri, Advocate
for the petitioner.

Mr. B.S.Virk, DAG, Haryana,
for the respondent-State.

INDERJIT SINGH, J.

Petitioner-Salmu alias Salmuddin has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.447, dated 31.08.2016, registered at Police Station Nuh, District Mewat, under Sections 5 and 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

CRM-M-44272-2016

From the record, I find that there was a secret information against the present petitioner that he indulged in cow slaughtering. As per the prosecution version, when the raid was conducted, the accused who was having one plastic bag in his left hand and pushing one bullock by tying it with rope, fled away from the spot. On checking of the said bag which was thrown by the accused, one axe, one dagger, one wooden cardboard and one rope of black colour were recovered.

In pursuance of the interim order dated 12.12.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 12.12.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

24.01.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No