

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

CRM-M-3064-2018
Date of decision:-8.2.2018

Rehmuddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

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

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Rehmuddin, an accused in FIR No.360 dated 22.12.2017, under Sections 8, 13(3) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered with Police Station Bahin.

Briefly stated, the prosecution story is that on 22.12.2017, a police party from Police Station Bahin was present at Utawar Chowk in connection with patrolling and crime detection, where ASI heading the police party received a secret information that Rehmuddin son of Mamman, resident of Roopraka, District Palwal has been getting cow meat (beef) from some where and sells it in his house and if a raid was conducted, he could be caught red handed; that the police party accordingly proceeded towards the house of Rehmuddin; that on seeing

the police party, the accused ran away along with the chopper used for slaughtering; that the Veterinary Officer was informed; that sample of cow meat was taken in a plastic box, whereas remaining was taken into police possession; that prima facie offences under Sections 8, 13(3) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 was disclosed. Ruqa was sent to the police station.

On registration of formal FIR, apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Additional Sessions Judge, Palwal vide order dated 11.1.2018. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State, which put in appearance through counsel.

I have heard learned counsel for the parties besides going through the records.

The very fact that accused is named in the FIR and on seeing the police party, he had run away from his house along with the chopper used for slaughtering in his hand and that cow meat i.e. beef was recovered from his house, *prima facie* goes to show his involvement in the offence.

In case of *State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268*, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case

like this interrogation of suspected person is of tremendous advantage in getting useful informations.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation so as to find out the source from where he is procuring cow meat and to whom he had been selling the same. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

8.2.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No