

CRM-M-44091-2018

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

CRM-M-44091-2018

Date of Decision: 30.10.2018

Jaan Mohammad

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. M.S.Atwal, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner 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.74 dated 17.05.2018, registered at Police Station Makhu, Ferozepur, under Sections 3, 4-A and 8 of the Punjab Prohibition of Cow Slaughter Act, 1955, Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 336 of the Indian Penal Code.

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 gone through the record.

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From the record, I find that FIR, in the present case, has been registered on the statement of Raman Sharma. As per the prosecution version, the complainant received a secret information that cows and bulls loaded in a Canter were being taken for slaughtering and he alongwith other private persons left from Zira to Talwandi Bhai in cars and saw Canter and Innova vehicles coming. The present petitioner is stated to have sat in Innova and fled away from the spot. It is also the case of prosecution that the present petitioner is owner of Innova.

In pursuance of the interim order dated 06.10.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 06.10.2018, 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.

30.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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