

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6499-2019
Date of decision: 15.02.2019

Arif and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Saleem Ahmed, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.34 dated 30.09.2018 under Section 13(1) of Haryana Gauvansh Sarankashan and Gausamvardhan Act, 2015 and Section 120-B IPC, registered at Police Station Dhouj, District Faridabad.

Learned counsel for the petitioners submits that as per allegations in the FIR, on 29.09.2018, the police received secret information that at the house of one Rasheed, Indris, Usman, Jamil and Mustkin are cutting the beef into pieces and on raiding the house, 2-30 kg beef was recovered and on seeing the police party, the accused managed to escape from the place of occurrence. It is further submitted that no one was arrested at the spot and later on, when the police arrested one co-accused Mustkin, on his disclosure, the petitioners were nominated in the FIR, though they were not initially named in the FIR.

Learned counsel for the petitioner further submits that during the investigation, the persons named in the FIR, except Mustkin, were exonerated and even Rasheed, from whose house the beef was recovered, stands exonerated.

Learned State counsel, on instructions from SI Raghbir Singh, could not disputed the factual position and submits that only Mustkin and petitioners Arif and Hakam are accused in the present FIR and the charges are yet to be framed.

Since the investigation is complete and conclusion of the trial will take some time, considering the fact that the petitioners were not named in the FIR and their names were surfaced on the disclosure of co-accused and the persons named in the FIR stand exonerated by the police, this petition is allowed and the petitioners are directed to be released on regular bail subject to furnishing their bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

15.02.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No