

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

**202**

**CRM-M-51498-2019  
Date of decision: 11.02.2020**

Deen Mohammad

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Vishwajeet Singh, Advocate  
for the petitioner.

Mr. Arjun Singh Yadav, Asst.AG Haryana  
for respondent-State.

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**ARUN KUMAR TYAGI, J (ORAL)**

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 343 dated 17.09.2019 registered under Section 3 read with Section 13(1), Section 8 read with Section 13(3) and Section 17 of The Haryana Gausvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Punhana, District Nuh, Haryana.

Vide order dated 04.12.2019 passed by this Court, the petitioner was granted interim anticipatory bail with direction to join the investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Learned counsel for the petitioner has submitted that pursuant to raid conducted at the residence of the petitioner on

19.06.2019, above said FIR was registered with undue and unexplained delay of about 3 months. The petitioner was not arrested on the spot. The petitioner has not committed any offence as alleged in the FIR. The petitioner has joined the investigation. Nothing is to be recovered from him and his custodial interrogation is not required.

Learned State counsel has, acknowledged that in compliance with order dated 04.12.2019 passed by this Court, the petitioner has joined the investigation and also admitted that his custodial interrogation is not required for effecting any further recovery.

In view of the facts and circumstances of the case, nature of accusation and the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 04.12.2019 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 enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

**11.02.2020**

Rajeev (rvs)

**(ARUN KUMAR TYAGI)**  
**JUDGE**

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