

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-3368-2021 (O&M)
Date of Decision:- 27.8.2021

Azruddin @ Balla

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Talim Hussain, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Kalyan Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in case registered against him vide FIR No. 269, dated 10.6.2020, Police Station Sadar Nuh, District Nuh, under Sections 188, 120-B IPC and the Haryana Gauthansh Sanrakshan and Gauthamvardhan Act, 2015.

2. The FIR was lodged on the basis of receipt of secret information by the police party which was patrolling at Sonkh Bus Stand, to the effect that accused Azruddin @ Balla, Yusuf along with their accomplices indulge in cow slaughtering and that even on the given day they were transporting cows in their truck bearing registration No. UP-72-AT-5126 to Rajasthan. Upon receipt of said information, barricading was held and when the truck bearing registration No. UP-72-AT-5126 was noticed, the same was signalled to stop. Four persons jumped out of the said truck and started running. While two of the said persons were apprehended who disclosed their names as Sheetal and Anish, the said persons upon inquiries disclosed the names of the two persons who had run away from the spot as Azruddin @ Balla and Yusuf. Upon checking the truck in question, the same was found to be loaded with 7 cows, 2 calves and 2 bulls. It is further alleged that two axes, two knives, ropes and a wooden *Gutka* was also recovered.
3. Learned counsel for the petitioner has submitted that he was never arrested at the spot and is alleged to have escaped when the police party intercepted the truck in question. Learned counsel has submitted that it is unbelievable that the police despite having received secret information and despite being fully prepared was unable to apprehend the petitioner and infact the only explanation is that the petitioner has been falsely implicated.
4. Opposing the petition, learned State counsel has submitted that since there was a specific information by name against the petitioner, the

same virtually stands substantiated upon recovery of cows etc. from the apprehended truck, and as such the complicity of the petitioner is clearly evident. Learned State counsel has however, informed that the petitioner pursuant to interim directions issued by this Court has joined investigation and that he is not wanted in any other case.

5. Having regard to the facts and circumstances of the case and while noticing that the recovery already stands effected and that the petitioner was never arrested at the spot and has joined investigation and is not even involved in any other case, the petition merits acceptances and is hereby accepted. The interim directions issued by this Court vide order dated 25.1.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.8.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No