

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8984-2020 (O&M)
Date of Decision: 13.09.2021

Haroon

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Rajiv Sidhu, DAG, Haryana
assisted by SI Krishan Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.447 dated 25.11.2019 at Police Station Punhana, District Nuh, under Sections 13(1) and 13(3) of the Haryana Gauthansh Sanrakshan and Gausamvardhan Act.
2. The FIR was lodged pursuant to the receipt of a secret information to the effect that Afsar, Haroon (petitioner), Nijam and Sahid indulged in sale of cow skins and beef after slaughtering the cows and that even on the given date they had slaughtered a cow at the house of Haroon (petitioner) where they have kept skins of slaughtered cows also. Upon receipt of said information, a raid was conducted at the house of Haroon (petitioner) from where 10 skins of cows were found and some internal parts of cows were also recovered.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the instant case and was never arrested at the spot.
4. Opposing the petition, learned State counsel has submitted that since the name of the petitioner figured in the FIR lodged on the basis of a secret information, which stands substantiated upon recovery of cow skins, no case for grant of anticipatory bail is made out. It has also been submitted that, in fact, upon the petitioner's joining investigation, he also got recovered an iron axe. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and his custodial interrogation is not required.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations where the recovery has already been effected and while also noticing that the petitioner has already joined investigation and is stated to be aged about 67 years, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 28.02.2020 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.

13.09.2021

VY

(GURVINDER SINGH GILL)**JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No