

**Sr.No.236**

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

**CRM-M-27382 of 2021**

**Date of decision:20.07.2021**

**Wahid @ Kolli**

**... Petitioner**

**versus**

**State of Haryana**

**... Respondent**

**Coram: Hon'ble Mr. Justice Arvind Singh Sangwan**

**Present:** Mr. Sanchit Punia, Advocate  
for the petitioner.  
Mr. Chetan Sharma, AAG, Haryana

**Through Video Conference**

**Arvind Singh Sangwan, J.(Oral)**

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.134 dated 05.05.2021, for offence punishable under Sections 13(1) and 13(3) of the Haryana Gauvansh Samrakshan and Gausamvardhan Act, 2015 registered at Police Station Bilaspur, District Yamuna Nagar.

Counsel for the petitioner has submitted that, as per the allegation in the FIR, registered on complaint given by Raj Kumar, Sarpanch of the village that skin and legs of the cows are lying in the field of one Rashid for the last 3-4 days and as per his information, it is petitioner Wahid @ Kolli and his accomplices had slaughtered a cow, the FIR was registered.

Counsel for the petitioner has submitted that except the aforesaid information given by the complainant-Raj Kumar which is *heresay* evidence, there is nothing against the petitioner and he is not involved in any other case.

Counsel for the petitioner has further submitted that petitioner is in custody since 07.05.2021 and is no more required for custodial investigation.

Counsel for the State has however, submitted that after the arrest of the petitioner, an iron make patla(a cutting instrument) was recovered from his house. It is also stated that one of the co-accused of the petitioner Salim is yet to be arrested.

However, it is not disputed that qua the petitioner investigation is complete and challan has been presented.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in judicial custody since 07.05.2021 and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

20<sup>th</sup> July, 2021

[ARVIND SINGH SANGWAN]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No