

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-31409-2021(O&M)
Date of Decision : 24.11.2021

Sahid

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhinav Sood, Advocate for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

Harsimran Singh Sethi, J. (Oral

CRM-23807-2021

As prayed for, application, is allowed.

CRM-M-31409-2021

Petitioner is seeking anticipatory bail in FIR No.157 dated 03.08.2018 registered under Sections 3, 8, 13(1) (3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Bahin, District Palwal.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of the order passed by a Coordinate Bench of this Court on 06.08.2021. Order dated 06.08.2021 is as under:-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 157 dated 3.8.2018 registered under Sections 3, 8, 13 (1), 13 (3) of the Haryana Gauvansh Sanrakshan And Gausamvardhan Act, 2015 at Police Station Bahin, District Palwal.

As per allegations in FIR, on receipt of a secret information that Hasan Ali, Mamman, Hakam, Rajju

and petitioner were involved in cow slaughtering, police party raided house of accused Hasan Ali. However, all accused managed to flee from spot. 100 kg. of beef, weighing scale, knife and some weights were recovered from spot.

Subsequently, Hasan Ali and Mamman were arrested. They have been released on regular bail.

Learned counsel for petitioner has argued that recovery has already been effected. The petitioner has clean antecedents. There is no case under the Haryana Gauvansh Sanrakshan And Gausamvardhan Act, 2015 registered against petitioner. Petitioner is ready and willing to join investigation and cooperate in same.

Notice of motion.

Mr. Vishal Malik, DAG Haryana accepts notice on behalf of State.

Adjourned to 6.10.2021.

In the meanwhile, in the event of arrest of petitioner, he shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from H.C. Sushil Kumar, states that in terms of the order passed by a Coordinate Bench of this Court, reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 06.08.2021 passed by a Coordinate Bench of this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 24, 2021
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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