

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

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**CRM-M-44078-2020 (O&M)
Date of Decision: 08.04.2021**

Sahoon

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Mazlish Khan, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana
assisted by SI Kanwar Pal.

(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.474 dated 18.11.2019 at Police Station Ferozepur Jhirka, District Nuh, Haryana, under Section 5/13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act and Section 11 of the Prevention of Cruelty to Animal Act.
2. The FIR was registered on the basis of secret information to the effect that Akram @ Ikram Nazeer and Sahoon (petitioner) indulged in cow slaughtering and that on the given day, they were having 5 cows and were proceeding towards Gidabera of Village Kolgaoun to Ghata Shamshabad. Pursuant to receipt of said information, the police proceeded to said place where two persons were seen along with 5 cows. While one of them was apprehended at the spot, who disclosed his name as Akram, the other managed to escape. It is further the case of the prosecution that the aforesaid

Akram upon interrogation disclosed the name of his companion as Sagoon.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case and was never ever arrested at the spot and has been nominated on the basis of a disclosure statement made by co-accused, which hardly carries any evidentiary value.
4. Opposing the petition, the learned State counsel has submitted that since the name of the petitioner finds mentioned in the FIR wherein the details of the secret information have been mentioned and in fact the co-accused also disclosed the name of his companion as Sagoon (petitioner), the complicity of the petitioner is clearly evident. Learned State counsel has however informed that pursuant to interim directions, the petitioner has since joined investigation and is not required for any custodial interrogation.
5. Having regard to the facts and circumstances of the case and while noticing that the petitioner has already joined investigation and is not required for custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 28.12.2020 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.

08.04.2021

Vimal

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**