

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54310-2021 (O&M)
Date of decision: 23.12.2021

Sakir

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. I.S. Saggu, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.307 dated 17.09.2021 under Sections 3/13(1), 8/13(3), 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Punhana, District Nuh.

Learned counsel for the petitioner submits that the FIR was registered on the basis of secret information that six persons are committing the offence of cow slaughtering at house of co-accused Pappu. Thereafter, when the police party raided the premises and six persons named in the secret information absconded and the secret informer had identified them. Later on, the house was inspected and 160 kg of cow beef along with one knife and one axe were found. It is further submitted that the petitioner was neither arrested at

the spot nor any recovery is to be effected from him, as the recovery has already been effected as per own version of the police.

Notice of motion.

On asking of the Court, Mr. Deepak Grewal, DAG, Haryana accepts notice on behalf of the respondent-State and submits that the petitioner is involved in one more case of similar nature, which is relating to the year 2011.

In reply, learned counsel for the petitioner submits that said FIR was registered 10 years ago and in the intervening period, there is no complaint against the petitioner that he has committed any such offence and he is sought to be arrested on the basis of secret information, though he was not found at the spot.

After hearing learned counsel for the parties and considering the allegations in the FIR as well as the fact that the petitioner was not arrested at the spot, this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue an advance notice in writing to the petitioner for the purpose of joining him in the investigation.

[ARVIND SINGH SANGWAN]
JUDGE

23.12.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No