

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-294-2022
Date of decision : 21.03.2022

Bhunnar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Iqbal Singh Saggu, Advocate
for the petitioner.

Ms.Harpreet Kaur, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.412 dated 13.12.2021 registered under Sections 3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Punhana, District Nuh.

On 07.01.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.412 dated 13.12.2021, registered under Sections 3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Punhana, District Nuh.

The allegation against the petitioner is that of having slaughtered a cow and selling the beef.

It is contended that the petitioner has been falsely implicated in the instant case as he was neither

apprehended at the spot nor identified at the time of conducting the raid. No recovery has been effected from the petitioner and the alleged recovery of 70 kg beef has been effected from the courtyard of house of the brother of petitioner.

Notice of motion for 18.03.2022.

Mr. Amreek Singh Narwal, Deputy Advocate General, Haryana accepts notice on behalf of the respondent-State. Copy of the paper book be supplied to learned State counsel, during the course of the day by hand or through e-mail.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

(i) that the petitioner shall make himself available for interrogation by a police officer as and when required;

(ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave India without the previous permission of the Court.

**(SANT PARKASH)
JUDGE**

07.01.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, petitioner has joined the investigation.

Learned State counsel, on instructions from HC Sumer Singh,

has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 07.01.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 07.01.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

March 21, 2022
Davinder Kumar

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