

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1635-2022 (O&M)

Date of Decision:- 4.7.2022

Daulat Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Salman Ahmed for
Mr. Mohammad Arshad, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by PSI Sunil Kumar.

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.85 dated 9.7.2021, Police Station Utawar, District Palwal under Sections 11 of Prevention of Cruelty to Animals Act, 1960, Section 13(2) of Haryana Gauvansh Sanrkashan and Gausanvardhan Act, 2015 and Sections 120-B, 186, 307, 353, 427 of Indian Penal Code.
2. At the time of issuance of notice of motion the following order was passed on 17.1.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.85 dated 9.7.2021, Police Station Utawar, District Palwal under Sections 11 of Prevention of Cruelty to Animals Act, 1960, Section 13(2) of Haryana Gauvansh Sanrkashan and

Gausanvardhan Act, 2015 and Sections 120-B, 186, 307, 353, 427 of Indian Penal Code.

The FIR was lodged on the basis of secret information to the effect that Daulat (petitioner) accompanied by 2-3 other unidentified persons indulged in cow slaughtering and that on the given day i.e. on 9.7.2021 they were coming from Nuh in a Scorpio vehicle alongwith cows and were proceeding to Utawar, District Palwal. Pursuant to receipt of said information barricading was held by the police. However, the accused, who were proceeding in their Scorpio vehicle, rammed the same into the barricades. It is the case of prosecution that the complainant and other police officials managed to save themselves by jumping away. The Scorpio vehicle was chased by the police. However, on account of there being an obstruction on the road due to parking of tractor-trolley, the accused drove their vehicle towards the fields, but the vehicle got stuck in the fields. Thereafter the accused alighted and ran away from the spot leaving the vehicle at the spot.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the very story that the accused were carrying cows in Scorpio vehicle does not sound probable as it is not possible and practical to transport cows in a Scorpio vehicle.

Notice of motion for 4.7.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from PSI Sunil Kumar, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation.
4. Having regard to the aforestated position wherein the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 17.1.2022 is 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.

4.7.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No