

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

CRM-M-3653-2022 (O&M)
Date of Decision:-1.8.2022

Mohd. Salim ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Imran Farooqi, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Jaspal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.141 dated 23.11.2021, Police Station Sadar Ahmedgarh, District Malerkotla, under Sections 3, 4, 8 of Punjab Prohibition of Cow Slaughter Act, 1955 and Sections 295-A, 428, 153-A, 429 and 120-B of Indian Penal Code.
2. While granting interim bail to the petitioner, the following order was passed on 1.2.2022:

“Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR

No.141, dated 23.11.2021, having been registered at Police Station Sadar Ahmedgarh, District Malerkotla, alleging therein the commission of offences punishable under the provisions of Sections 3, 4 and 8 of the Punjab Prohibition of Cow Slaughter Act, 1955, Section 295A, 428, 153-A, 429 and 120-B of the IPC.

Learned counsel for the petitioner submits that the petitioner has only been implicated as an accused in view of the fact that there are other such FIRs registered against him, with no recovery effected as regards any beef or even a live cow as per the FIR.

Notice of motion.

On the asking of the Court, Mr. Sidakmeet Singh Sandhu, AAG, Punjab, accepts notice on behalf of the respondent State.

A copy of the petition be supplied to him today itself by learned counsel for the petitioner.

A gazetted officer is directed to file a reply to the petition.

In the meanwhile, the petitioner would join investigation within one week and if, upon him so joining, he is sought to be arrested, he shall be released on interim bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Duty Magistrate, till the next date of hearing.

He shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilqa Magistrate immediately, who would then summon the arresting officer and direct him to join the petitioner in investigation, in terms of the order of this court.

Adjourned to 31.03.2022.”

3. Learned State counsel, upon instructions from ASI Jaspal Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation.

4. Having regard to the aforestated position, wherein the petitioner is stated to have 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 1.2.2022 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.

1.8.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No