

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

I) CRM-M-13421-2022 (O&M)

Aasif ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-21328-2022 (O&M)

Mosim ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-1.9.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rosi, Advocate for the petitioner(s).

Mr. Arun Beniwal, DAG, Haryana,
assisted by HC Hari Prem.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Aasif and Mosim seeking grant of anticipatory bail in respect of a case registered vide FIR No.130, dated 7.3.2022, Police Station Sadar Nuh, District Nuh, under Sections 13(1) and 13(3) of Haryana Gauvansh Sarakshan and Gausamvardhan Act, 2015.

2. Reply by way of affidavit of Shri Ashok Kumar, HPS, Deputy Superintendent of Police, HQ, Nuh has been filed in CRM-M-21328 of 2022 by learned State counsel, which are taken on record.
3. At the time of issuance of notice of motion in CRM-M-13421-2022, the following order was passed on 31.3.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 130, dated 7.3.2022, Police Station Sadar Nuh, District Nuh, under Sections 13(1) and 13(3) of Haryana Gauvansh Sarakshan and Gausamvardhan Act, 2015.

The FIR was registered at the instance of Rana Kanwar Baljit Singh wherein it has been stated that he is a member of Gauraksha Group. It is alleged that on 7.3.2022, at about 8.30 pm, when he was present at Nuh Hodal Road along with other members of his group, then a motorcycle bearing registration No.HR-27-K-8080 was noticed coming from village Dhekali, on which two persons were sitting and who had kept a blue coloured drum in between them. When the complainant gave a signal to stop them, they after leaving their motorcycle and also the blue coloured drum at the spot, ran away from the spot. It is alleged that upon checking the drum, the same was found to contain 30 kgs of beef. Later upon inquiries having been made by the complainant it was found that the names of said two persons were Mosim and Aasif.

Learned counsel for the petitioner submits that the aforesaid organization Gauraksha Group is a self-styled organization and that the petitioner has been falsely implicated in the present case and it is unbelievable that although a group of about 8-10 persons was present at the spot, but despite that the petitioner managed to escape from the spot on foot. It has been submitted that the petitioner cannot be connected with the alleged recovery of beef in any manner.

Notice of motion for 1.9.2022.

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 the 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.”

4. Even in the other case i.e. in CRM-M-21328-2022, the petitioner Mosim vide order dated 18.5.2022, had been released on interim bail and had been directed to join investigation.
5. As per reply filed by learned State counsel today in CRM-M-21328 of 2022, the petitioner Mosim stands involved in 2 other identical cases. It has orally been informed by learned State counsel that the petitioner Aasif (in CRM-M-13421-2022) also stands involved in 1 other identical case.
6. Learned State counsel, upon instructions from HC Hari Prem, has informed that pursuant to interim directions, both the petitioners have since joined investigation and are not required for any custodial interrogation.
7. Having regard to the facts and circumstances of the case and the nature of offence and the fact that recoveries have already been made and also that the petitioners have joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide order dated 31.3.2022 (passed in CRM-M-13421 of 2022) and order dated 18.5.2022 (passed in CRM-M-21328 of 2022) are hereby made absolute, subject to the condition that the petitioners 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.

8. A photocopy of this order be placed on the file of connected case.

1.9.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No