

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

CRM-M-41163-2020 (O&M)
Date of Decision:- 5.1.2022

Yadil @ Aadil

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rosi, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by HC Rajesh Kumar.

(Proceedings conducted through video conferencing)

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.520 dated 17.10.2020 registered under Section 13(2) of the Haryana Gauthansh Sanrakshan and Gauthamvardhan Act, 2015, Police Station Sadar Nuh, District Nuh.
2. At the time of issuance of interim directions the following order was passed on 9.12.2020:

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.520 dated 17.10.2020 registered under Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 in Police Station Nuh, Distruct Nuh.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. As per the allegations made in the FIR secret information was received by the police party headed by HC Harender Singh that Subba, Aadil and Aamin were engaged in cow slaughtering business and were carrying gaudhan for slaughtering. Barricading was done on the basis of secret information and 5 Oxen and 1 Cow were recovered but the persons carrying them absconded. The petitioner was not arrested on the spot. The petitioner is not involved in any other case of similar nature. The petitioner is ready to join the investigation and his custodial interrogation is not necessary in the case as the recovery has already been made.

Notice of motion.

Pursuant to supply of advance copy of the petition, Mr. Sumit Jain, Addl. A.G., Haryana has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 10.02.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting

officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) (i) to (iii) of the Cr.P.C. In view of Section 438(2)(iv) read with Section 437(3)(b) of the Cr.P.C. interim anticipatory bail granted to the petitioner shall also be subject to the condition that he shall not commit any similar offence under the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 after his release on interim anticipatory bail. In case of non-compliance of the above-said conditions, the petitioner shall not be entitled to the protection of interim anticipatory bail allowed to him.”

3. The learned State counsel, upon instructions from HC Rajesh Kumar, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required.
4. In view of the aforesaid submission, the petition is accepted and the interim directions issued by this Court vide order dated 9.12.2020 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.

05.1.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No