

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5881-2023 (O&M)

Date of Decision: 06.02.2023

Ikram

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. IS Saggu, Advocate of the petitioner

Sandeep Moudgil, J.

The petitioner seeks grant of anticipatory bail in case FIR No.01 dated 01.01.2023 under Sections 3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Punhana, District Nuh.

Learned counsel for the petitioner submits that on 01.01.2023, police party received telephonic information that petitioner has indulged in the act of cow slaughtering and had brought beef and was selling the same by cutting into smaller pieces on the backside of their house in the village street. Police party reached at the spot after joining another police party on the way. A motor-cycle marka Splendor was found packed loaded with beef, and beef was also lying on a tarpaulin, besides an electric weighing scale, a wooden gutka, two knives, one axe, a steel container and polythene etc. Photographs were taken. Azruddin of nearby house reached there, who also disclosed about the complicity of the petitioner Ikram and his brother-in-law Irfan that they had brought this beef and were selling the same. There was no registration number on the motor-cycle. The beef weighed about 17-18 kilogram and was taken into police possession along with other articles.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case as well as in another case i.e. FIR No. 04 of 2023, under Section 3/13(1), 8/13(3) of HGS & GS Act. Petitioner is ready and willing to join the investigation. Nothing is to be recovered from the petitioner. There is no identification except that of secret informer.

Notice of motion. Mr. Gagandeep S. Chhina, AAG Haryana accepts notice and has opposed the bail application of the petitioner who has indulged in the act of cow slaughtering and were selling beef on the backside of his house. He managed to flee away along with his brother-in-law Irfan. Petitioner was identified not only by secret informer but also by Azruddin of nearby house. He also submitted that petitioner is also involved in another case of identical nature.

Having heard learned counsel for the parties, this Court does not find any ground much less valid and genuine so as to extend the benefit of concession of anticipatory bail to the petitioner.

It has come on record that the petitioner was specifically named by secret informer and was identified at the spot. His identity was also disclosed by one Azruddin. Moreover, no animosity has been indicated by the petitioner. The allegations of cow slaughtering and possession of beef, which is in prevalence in Nuh being a Muslim dominated city, are of grave and serious concern particularly, in view of the fact that the State of Haryana has come up the legislation, namely, Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 only with a view to curb the atrocities being meted out to cows. This Court cannot ignore the fact that among the Hindus of the present day, the cow is regarded as perhaps the most sacred animal. The cow,

as the furnisher of milk and the mother of the bovine species, for purposes of agriculture, arose from being an object of utility to the footing of sanctity as ‘Gau Mata’.

It become equally important to note here that the petitioner is also involved in another case bearing FIR No. 4/2023 of identical nature and is evading his arrest.

In view of nature of allegation coupled with the fact that the petitioner has been identified by one public person and also the fact that another case of similar nature is already pending against the petitioner, there is no merit in this petition and the same is accordingly dismissed.

06.02.2023

V.Vishal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No