

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21727 of 2023

Date of decision: 21st August, 2023

Amar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Sukhpreet Kaur, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail in FIR No.40 dated 27.01.2023 for the offences under Section 429 IPC (Section 120-B IPC and Section 13(2) of the Haryana Gauvansh Sanrakshan & Gausamvardhan Act, 2015 added later on) registered at Police Station Sector 32-33, District Karnal.

2. On the last date of hearing, i.e. 29.05.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation, in view of the following submissions made by learned counsel for the petitioner on 01.05.2023:

“Learned counsel for the petitioner, while drawing attention of this Court to the FIR, submits that 45 cows were found dead in Nandi Gram Gaushala after consuming green fodder purchased from one Mohinder Singh

Chauhan. Learned counsel submits that the petitioner came to be nominated as an accused on the basis of disclosure statement allegedly suffered by accused Sonu, Vishal and Suraj, who stated that all of them along with the petitioner had mixed celphos with the Jaggery, which in turn was mixed with the green fodder given to the cows. Learned counsel further submits that the evidentiary value of such disclosure statement is admittedly of a weak nature.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 29.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rajnit, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 29.05.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

August 21, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No