

205 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-22103-2023 (O&M)
Date of Decision: 18.08.2023

Islam @ Akaldeen

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Gupta, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.138 dated 24.03.2023, under Section 13(3) of the Haryana Gauvansh Sanrakshan and Gau Samvardhan Act, 2015 registered at Police Station Sadar, District Yamunanagar.

2. Allegations in brief against the petitioner are that he along with co-accused Haseen was selling beef in village Mandoli, District Yamunanagar.

3. The Coordinate Bench vide order dated 02.05.2023, granted interim bail to petitioner and the same reads as under:-

“It is submitted that no beef was recovered from the house of the petitioner and he has been nominated as an accused only on the disclosure of a co-accused. Thus, he deserves the concession of anticipatory bail.

Notice of motion.

Mr. Himmat Singh, Addl. AG, Haryana, accepts notice and waives service.

Adjourned to 21.07.2023.

In the meantime, the petitioner is directed to join investigation with the Investigating Officer on 12.05.2023 at 10.00 am and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C”

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 02.05.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending criminal misc. application(s), if any, shall also stand disposed off.

18.08.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No