

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-54254-2023
Date of decision : 14.11.2023

Sehjad

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Talim Hussain, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Petitioner seeks pre-arrest bail in FIR No.239 dated 06.12.2022, registered for the offences punishable under Sections 13(1), 13(3) and 3 of the Haryana Gausamvardhan Act, 2015 at Police Station Bichhore, District Nuh, Haryana.
2. While issuing notice of motion on 23.10.2023, following order was passed:-

“Prayer in instant petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner in case FIR No. 239, dated 06.12.2022, registered under Sections 13(1), 13(3) and 3 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Bichhore, District Nuh, Haryana.

2. Brief facts of the case are that on 06.12.2022, the police party received a secret information that the Sehjad (petitioner herein) and co-accused Shokeen and Sakir and involved in cow slaughtering and

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supplying beef on their motorcycles in nearby villages. The secret informant further revealed that on that day they would go to village Singar vila Lafuri to supply beef on their motorcycles. If the raid is conducted, they can be apprehended. On the basis of secret information, barricades were laid and three motorcycles were seen coming, however, seeing the police party, the riders in order to escape tried to take U turn, but while doing so, the motorcycle riders fell down on the ground and they fled away from the spot leaving behind their motorcycles taking the advantage of darkness and kikkar trees. The secret informant identified all three motorcycle riders as Shokeen, Sehjad (petitioner herein) and Sakir. The police recovered three motorcycles from the spot with fresh beef around 200 kg, skin and legs of cow which led to registration of present FIR. It was found during investigation that the petitioner was using stolen motorcycle in the commission of alleged offence

3. Notice of motion.

4. On the asking of the Court, Mr. Praveen Chander Goyal, Additional A.G., Haryana, who is present in the Court, accepts notice on behalf of the respondent/State. Learned State counsel opposes the petitioner's plea for bail on the ground of seriousness of offence. Learned State counsel seeks a short accommodation to file status report in this case.

5. List on 03.11.2023.

6. A copy of the complete paper book be supplied to learned State counsel by the learned counsel for the petitioner during course of the day.

7. Status report be filed before next date of hearing with an advance copy thereof to counsel

opposite.”

3. Today, Mr. Bansal very fairly submits that the punishment prescribed being less than 07 years. In case, the custody of the petitioner being required, the agency would comply with dictum of law laid down in *Arnesh Kumar vs. State of Bihar*, reported as *(2014) 8 SCC 273*.

4. Disposed off, accordingly.

(PANKAJ JAIN)
JUDGE

14.11.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No