

2023:PHHC:161397

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

221

CRM-M-62080-2023

Date of decision : 15.12.2023

Mohd. Mantu

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Abhinav Singla, Advocate
for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab
with ASI Hakam Singh.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.117 dated 15.06.2023, registered for the offences punishable under Sections 3 & 8 of the Punjab Prohibition of Cow Slaughter Act, 1955, Section 11 of the Prevention of Cruelty to Animal Act, 1960 and Sections 295-A/201 of IPC, 1860 at Police Station City Sangrur, District Sangrur.

2. Custody Certificate of the petitioner has been filed on behalf of the State today in Court, which is taken on record. As per the same, the petitioner has undergone actual custody of 05 months and 28 days.

3. Reliance is being placed upon order dated 14.11.2023 passed in CRM-M-49408-2023, whereby co-accused namely Mohd.

2023:PHHC:161397

Harun and others have been granted bail observing as under:-

1. By way of these five petitions under Section 439 Cr.P.C., the petitioners are seeking regular bail in FIR No.117 dated 15.06.2023, registered for the offences punishable under Sections 3 & 8 of The Punjab Prohibition of Cow Slaughter Act, 1955, Section 11 of The Prevention of Cruelty to Animal Act, 1960 and Section 295-A/201 of IPC, 1860 at Police Station City Sangrur, District Sangrur.

2. As per the contents of the FIR, it has been alleged as under:-

“Copy of written statement, Statement of Soni Singh resident of Near Hanuman Mandir Haripura Basti, Sangrur, aged about 40 years, Mobile No.94642-05629, stated that I am resident of the above said address and does the job of Car Painter. On 13.06.2023, at about 09.00 P.M., I was going from market to home after making purchases of household items. When I reached near Haripura Cremation Ground, then Mohammad Sahil son of Mohammad Ismail and Mohammad Harun son of Mohammad Ibrahim, residents of near Tikiya Wali Factory, Haripura Basti, Sangrur, of them were taking a white cow by putting rope around cow's neck and leading to towards pit, Military Area, Haripura. They were accompanied by Namru, Sadam, Mukhtiar, residents of Haripura, Babra, resident of Haripura, Lambu and Mantu and other known persons were accompanying them. When

2023:PHHC:161397

at about 04.00 P.M., I went towards pit side, Haripura Basti for a walk, then I saw that a white cow had been left dead after chopping of her neck. When, I carefully noticed it, then I saw that it was the same cow, to whom yesterday night, Mohammad Sahil and Mohammad Harun above said had taken the cow by putting rope in cow's neck towards Military Area. I am fully sure that above said Mohammad Sahil and Mohammad Harun had chopped of neck of cow for eating had mercilessly killed the cow. These persons had removed meat for eating and the rest of the body has been shredded. In this way, they have killed the cow had injured and violated the sentiments and norms of Hindu Religion by killing cow. Then I returned to my house on foot. I was very much shocked by this incident. Then after thinking about it, I along with my uncle's son Sukhveer Singh son of Nirmal Singh, resident of Haripura Basti Sangrur were coming to your goodself to Police Station City Sangrur to give a report, then yourself goodself alongwith Police party have met near Post Office, Sangrur. I have got recorded my statement, read it, heard it and admit it to be correct. Legal action be taken against Mohammad Sahil, Mohammad Haarun, Namru, Sadam, Mukhtiar, residents of Haripura, Babra resident of Haripura, Lambu and Mantu above said and other

2023:PHHC:161397

known persons.”

3.

Challan already stands presented and investigation has concluded. Petitioners are behind bars for more than 04 months.
4.

Counsel for the State submits that the allegations are serious in nature. However, he does not dispute the aforesaid factual assertions based on record.
5.

Keeping in view of above, the present petitions are allowed. Petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
6.

Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.
7.

A photocopy of this order be placed on the files of other connected cases.”
4.

Granting parity and the fact that the petitioner has already suffered incarceration, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
5.

Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

15.12.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No