

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-5062-2024
Date of decision : 07.02.2024

Mujafar Islam Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Iqbal Singh Mann, DAG, Punjab.

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.107 dated 07.08.2023, registered for the offences punishable under Sections 295, 120-B of IPC, 1860 (Sections 295-A, 153-A, 428, 429, 467, 468 and 471 of IPC, 1860 added later on) and Sections 5 and 8 of the Punjab Prohibition of Cow Slaughter Act, 1955 at Police Station Adampur, District Jalandhar Rural.
2. As per the contents of the FIR, it has been alleged as under:-

“Statement of Satish Kumar son of late Charan Dass, resident of B-1/1984, Mittal Market, old Rajpura, District Patiala aged about 61 years Mobile No. 98142252878, stated that I am resident of above said address and president of All India Gau Rakshak Dal. I have received information from secret sources that Imran Qureshi son of Hazi Bablu

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Qureshi resident of, in front of Faizal Maszid, Sector 2, Shastri Nagar Meerut alongwith his brother Parvesh Quereshi, Azam Qureshi have taken on rent, the closed old Neha Toka factory at village Dhogri, District Jalandhar. He has packed the beef in the boxes after killing the cows outside and kept the same in freezer for supply in other states and look after the same and for further supply they have appointed Muzafar Islam son of Sangul Mohammad along with other workers. That by their act of slaughtering the cow and packed in boxes, they have hurt our religious sentiments because we treat cow as our mother and all the persons relates to this work belong to Mohammadan religion. Because of this fracas may be taken place between two religions. This act is being done in a conspiracy. Today, I along with my companion Vikas Kamboj son of Naresh Kumar house no. 2587/1 Jodian Bhathian, P.S kotwali District Patiala and Rohit Joshi son of Dimbangar Joshi, resident of 460/13, Avtar Nagar, police station Bhargo camp District Jalandhar was coming to inform you, you have met, action be taken Sd/- Satisj Kumar acknowledge statement Rohit Joshi, Vikas Kamboj attested Gurmeet Ram SI I/C PP Jandu Singha, P.S Adampur dt. 7.8.2023.”

3. Counsel for the petitioner submits that the investigation already stands concluded. Challan stands presented and the petitioner is behind bars for more than 05 months and 26 days and thus there cannot be any apprehension that the petitioner shall tamper with the evidence. The offence are triable by Magistrate. Counsel further submits that the petitioner has no criminal antecedents.

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4. *Per contra*, State counsel submits that there are serious allegations against the petitioner of having forged, not only his name but also identity documents like Adhar card etc. However, he does not dispute that the investigation already stands concluded and the challan stands presented.
5. Without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioner, 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.
6. 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

07.02.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No