

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 12934 of 2024 (O&M)
Date of Decision: 03.04.2024

Mohd. Mubarak

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Siddarth, Advocate and
Ms. Savita Tanwar, Advocate
for the petitioner.

Mr. Athar Ahmad, Deputy Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Section 439 Cr.P.C., seeks grant of regular bail pending trial in case bearing FIR No.109 dated 14.12.2023, under Section 11(1) of Prevention of Cruelty to Animals Act, 1960; Sections, 3, 4, 4-A, 4-B & 8 of The Punjab Prohibition of Cow Slaughter Act, 1955 and Sections 153 & 120-B of IPC, registered at Police Station Ladowal, Ludhiana.

[2] In the present case, the petitioner was apprehended while transferring 11 cows and 02 calves in Truck bearing registration No.HR-58C-6062 to Kashmir for slaughtering purpose.

[3] Learned State Counsel vehemently opposes the prayer for grant of regular bail to the petitioner while submitting that the petitioner was apprehended at the spot with 11 cows and 02 calves and admitted the factum of transportation for the purpose of slaughtering even in the disclosure

statement made by him.

[4] I have heard learned counsel for the parties and gone through the paper-book and find substance in the submissions made on behalf of the petitioner.

[5] In the present case, the recovery already stands effected. The petitioner is not involved in any other case of similar nature and he is behind the bars since 14.12.2023, i.e. for the past more than three months as of now and there is no other evidence available against him as regards slaughtering, at this stage, except his disclosure statement. Moreover, similarly situated co-accused-Suffian has already been granted the concession of regular bail by this Court vide order dated 29.01.2024 passed in CRM-M-3353-2024, titled “*Suffian Versus State of Punjab*”. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

[6] In view of the above, but without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is **allowed** and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the Trial Court / Illaqa Magistrate / Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

April 03, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No