

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

107

2024:PHHC:029368

CRM-M-10869-2024

Date of decision: February 29<sup>th</sup>, 2024

Samim Ahmed @ Shamim Ahmed

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Anas Ahmed, Advocate  
for the petitioner.

**MANJARI NEHRU KAUL, J.**

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.36 dated 29.01.2024 under Sections 5/13(2), 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Section 11 of Prevention of Cruelty to Animals Act, 1960 and Section 120-B of the IPC (Sections 420, 467, 468, 471 of the IPC and Section 11-59-60 of Arms Act, 1959 added later on) registered at Police Station Ferozepur Jhirka, District Nuh.

2. Learned counsel for the petitioner, *inter alia*, contends that he has been falsely implicated in the present case for being allegedly involved in cow slaughtering. While drawing the attention of this Court to the FIR annexed as Annexure P-1, it has been further submitted that his false implication in the instant case finds due credence from the fact that a totally unbelievable version had been brought forth that in the presence of the police officials, he fled away from the truck in which the cattle were being transported. It has also been submitted that the petitioner was neither driving the truck nor was he working as a cleaner

of the truck from which the recovery of the animals was made.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. A perusal of the FIR reveals that a secret information was received with respect to the involvement of seven persons including the petitioner, who had been carrying out slaughtering of cows. Pursuant to the secret information received, a *naka* was laid by the police at the road leading to Rajasthan. Soon thereafter, a truck was seen approaching. However, on seeing the police party from a distance, the truck was stopped 100 yards before the blockade and all the accused after jumping out of the truck managed to run away taking advantage of the standing mustard crop, fog and darkness; the informer, who was also with the police party, duly identified all the persons including the petitioner by name. Inside the truck, 6 black bulls, 11 white bulls and 9 white cows were found in a pathetic and injured condition with their mouth, legs and bodies tied with ropes. The petitioner admittedly has criminal antecedents as he is involved in one other criminal case under the Arms Act. It is a matter of record that in the previously instituted criminal case against the petitioner, he was already on bail, hence, it is evident that he had misused the concession which he had been granted in the other case.

5. In the facts and circumstances as enumerated hereinabove and the allegations levelled against the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to him.

6. The instant petition stands dismissed.

7.           However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**February 29<sup>th</sup>, 2024**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned       :       Yes

Whether reportable                 :       No