

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216 CRM-M-11691-2024
Date of Decision:08.04.2024

RASID KHANPetitioner

Vs.

STATE OF HARYANARespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Sumit Jain, Additional AG, Haryana
assisted by ASI Amroj.

DEEPAK GUPTA, J.(ORAL)

On 05.03.2024, following order was passed:

“By way of present petition under Section 438 Cr.P.C., petitioner prays for pre-arrest bail in a case arising out of FIR No.196 dated 19.11.2023, under Sections 13(1), 13(3) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Bichhore, District Nuh, Haryana.

It is contended by learned counsel that petitioner alongwith co-accused was named on the basis of secret information, to be involved in the business of cow slaughtering near drain of village Nai. However, when the raid was conducted, petitioner was not apprehended by the police. Rather, it is co-accused Hasan Mohd. @ Hassa, who was apprehended with cow flesh. Learned counsel contends further that petitioner has been falsely implicated on the basis of secret information; that he has no connection with the crime. It is also contended that coaccused Janu and another along with Mustakim and another have already been granted the benefit of pre-arrest bail by this Court vide orders dated 22.02.2024 passed in CRM-M-62106-203 and CRM-M-1995-2024 (Annexures P-2 and P-3 respectively).

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 08.04.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and co-operate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Amroj submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 05.03.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

08.04.2024
pry

(DEEPAK GUPTA)
JUDGE

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