

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215 CRM-M-12583-2024
Date of Decision : April 16, 2024

DHARMBIR -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Gagandeep Sanwal, Advocate for
Mr. Akshay Kumar Dahiya, Advocate
for the petitioner.

Mr. Abhinash Jain, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. On 12.03.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

- “1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks grant of anticipatory bail, in case FIR No.32 dated 10.02.2024, under Section 13(2) of The Haryana Gauvansh Sankrakshan and Gausamvardhan Act, 2015, registered at P.S. Jathlana, District Panipat.*
- 2. Succinctly stated, the allegations, as recorded in the instant FIR, are that, on 10.02.2024, two persons, namely, Kuldeep Singh and Sandeep Kumar, were apprehended by police along with a Canter, wherein, 11 cows were found loaded for slaughtering.*
- 3. During investigation, co-accused Kuldeep Singh and Sandeep Kumar suffered their respective disclosure statements, thereby disclosing that they were transporting the animals, which were got loaded by the present petitioner, from Ladwa to U.P.*
- 4. The learned counsel for the petitioner submits that neither the petitioner has been named in the FIR, nor any role qua commission of the alleged offence(s) has been assigned to him, rather his name has surfaced in the disclosure statement(s) of co-accused. He further submits that even no offence, whatsoever, is made out from the allegations, as levelled in the instant FIR, rather the allegations constitute only an apprehension qua the cows being transported for the purpose of slaughtering.*

5. *Notice of motion for 16.04.2024.*
6. *Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.*
7. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”*
2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Satnam Singh, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation on 03.04.2024 and he is no longer required for custodial interrogation.
3. In view of the above, the hereinabove extracted interim order dated 12.03.2024, as made by this Court, is hereby made **absolute**, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

April 16, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No