



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15621-2024 (O&M)
Date of Decision:-29.10.2024

Mohammad Chand ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Imtiyaz Hussain, Advocate for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Under Section/s
426	14.12.2023	Murthal, Sonipat	13(1), 13(3) and Section 3 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015

GURVINDER SINGH GILL, J.(Oral)

- The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
- At the time of issuance of notice of motion, the following order was passed
on 1.4.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 426 dated 14.12.2023, Police Station Murthal, Sonipat, under Sections 13(1), 13(3) and Section 3 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015.

As per the case of prosecution, on 14.12.2023 a secret information was received by the complainant who claims himself to be a member



of Cow Vigilante that a boy travelling in vehicle No.UP-10T-9231, who was proceeding from Panipat towards Delhi, was carrying beef in his vehicle. Pursuant to receipt of said information, the complainant along with his friends stopped the said vehicle. Search of the said vehicle led to recovery of 3305 Kgs of beef. The boy who was driving the vehicle disclosed his name as Asif. The vehicle was also found to be registered in the name of said Asif. It is further the case of prosecution that during interrogation the aforesaid Asif got recovered another 2460 Kgs of beef which had been buried in Gausala, Murthal. It is further the case of prosecution that said Asif disclosed that the aforesaid beef was to be delivered to one Mohammad Chand (petitioner).

Learned counsel submits that he was never ever present at the spot nor any beef was ever recovered from him and that even as per the case of prosecution, it was one Asif who had been apprehended while driving a vehicle which stood registered in his name and who was found to be carrying beef. Learned counsel submits that the only evidence against the petitioner is the disclosure statement of the co-accused and that no evidentiary value can be attached to such like statement particularly in absence of any other connecting evidence.

Notice of motion for 09.09.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 1.4.2024,



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the petitioner has since joined investigation and he is not required for any custodial interrogation.

4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 1.4.2024 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

29.10.2024

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Whether speaking /reasoned
Whether Reportable

(Gurvinder Singh Gill)
Judge

Yes / No
Yes / No