



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36430-2024
Date of decision: 22.08.2024

DILSHAD ...PETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Nafees Ahmad Khan, Advocate for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
63	12.02.2024	147, 148, 307, 120-B of IPC and Section 11 of The Prevention of Cruelty of Animals Act, 1960 and Sections 5, 13 (2), 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act 2015.	Faridabad Kotwali, District Faridabad.

2. Learned counsel for the petitioner submits that in compliance to the order dated 31.07.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 31.07.2024.

3. Learned State counsel, on instructions from SI Saruash Kumar, intimates the Court that the petitioner has joined investigation and

**CRM-M-36430-2024****2**

is neither required for further investigation nor for any custodial investigation.

4. During the course of hearing on 31.07.2024, following order was passed:

“ 2. Learned counsel for the petitioner, inter alia, contends that the petitioner is having no role in the alleged crime and has been falsely implicated in this case on the basis of alleged disclosure statement made by co-accused Mukeem. He contends that even the petitioner was implicated in one more case on similar grounds and in that too, the petitioner was granted concession of anticipatory bail by this Court in CRM-M-31030-2023. He further contends that the petitioner is neither the owner nor has any concern with the alleged canter recovered by the police nor he is indulging in any such crime and is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Surender Singh, AAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

5. Adjourned to 22.08.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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. ”



CRM-M-36430-2024

3

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 31.07.2024 passed by this Court, interim bail granted vide order dated 31.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

22.08.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No