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

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Date of decision: 2nd September, 2024

Lahik Ahmed @ Laheek Ahmad

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 by the petitioner seeking grant of regular bail in case bearing FIR No. 136 dated 09.05.2024 registered under Sections 13(1), 13(3) and 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 120-B of IPC at Police Station Sadar Tauru, District Nuh.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by Sub Inspector Bachhu Singh alleging therein that on the same day, he along with some other officials was on patrolling duty, when a secret information was received by him that Sagroo and Jafu sons of



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Rehmat, resident of Mahalaka and Bahra resident of Pachgaon were involved in the business of cow slaughtering and had procured cows in a pickup No. HR-74-B-9095 for that purpose. It was further informed that they could be apprehended, if raid was conducted immediately. Acting upon the said information, police party reached at the spot for conducting raid. On seeing the police party, some persons present there tried to flee but three of them namely Shaukin, Tahir and Lahik Ahmed (petitioner) were apprehended along with 125 Kg. of beef, one chopped head of the cow with horns and one skin of cow with tail and two motorcycles from the spot. After registration of FIR, investigation proceedings were initiated. The petitioner and co-accused were arrested on 13.05.2024. The investigation has since been completed.

3. The present petition has been filed by the petitioner and it is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 13.05.2024. Trial is likely to take time. No useful purpose would be served by detaining him in custody any more. Therefore, it is argued that petitioner deserves to be given concession of regular bail.

4. *Per contra*, learned State counsel who has advance notice of the petition has submitted that he is ready to argue the matter. It is contended by him that the allegations against the petitioner are serious in nature. There are chances of his intimidating the witnesses or absconding, if extended benefit of bail. Hence, it is urged that the petitioner does not deserve to be extended benefit of regular bail.



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5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along the co-accused is alleged to be found while slaughtering a cow as on 09.05.2024. He is in custody since 13.05.2024. Investigation has since been completed. Neither any recovery remains to be effected from the petitioner nor his custodial interrogation is required. Trial is obviously likely to take time. Subject offences are triable by Magistrate. There is no basis for the contention that the petitioner may abscond as he has permanent abode. The question of his intimidating the prosecution witnesses also does not arise as all the witnesses of the prosecution are police officials. No useful purpose would be served by detaining the petitioner in custody anymore. There are no criminal antecedents of the petitioner. Keeping in view the discussion made hereinabove, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

2nd September, 2024

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No