

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46663 of 2022
Date of decision: 6th March, 2024

Taleeb Hussain

... Petitioner

Versus

State of Punjab

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.141, dated 23.11.2021 under Sections 3, 4, 8 of Punjab Prohibition of Cow Slaughter Act, 1955 and Sections 295-A, 428, 153-A, 429, 120-B of the IPC registered at Police Station Sadar Ahmedgarh, District Malerkotla.

2. On 19.10.2022, while noticing the following averments made in the petition, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“The FIR was registered on the complaint of one Sandeep Kumar, who stated that Saifu, Farida wife of Saifu, Nikka, Talib (present petitioner), Haneef, Salim @ Kaka indulge in business of selling cow meat by slaughtering stray cows. It is alleged that they fill gunny bags with some parts of

body of cows and throw the same in the drain leading from Malerkotla to Khanna Road.

It is alleged that sentiments of the complainant and of other members of the community were hurt. It is the case of the petitioner that he has falsely been named in the FIR and there is no evidence to connect him with the alleged occurrence. The petitioner also banks on the fact that identically situated co-accused namely Mohd. Salim and Farida have already been granted anticipatory bail by this Court.”

3. Thereafter, noticing the following contentions of learned counsel for the petitioner, another Coordinate Bench vide order dated 22.11.2023 had granted one more opportunity to the petitioner to join investigation in terms of the earlier order.

“Learned counsel for the applicant/petitioner contends that the petitioner, who is a professional wrestler and has to frequently travel outside the State due to his commitments of participation in tournaments, had lost contact with his counsel and it is only on the aforesaid account he was unable to comply with the orders passed by this Court whereby he was directed to join investigation. He tenders apology for the said lapse and prays that one last opportunity may be granted for the aforesaid purpose.”

4. Learned State counsel, on instructions from ASI Harbax Singh, submits that in compliance of the orders dated 19.10.2022 and 22.11.2023, the petitioner has joined investigation and cooperated with the investigating agency. He, on further instructions submits that the

petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim orders dated 19.10.2022 and 22.11.2023 are made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

March 6, 2024

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No