



CRM-M-47530-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM-M-47530-2024
Date of Decision : 13.11.2024

Jakir @ Jakki ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: None for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. This Court, on dated 23.09.2024, had passed the hereinafter extracted order, upon the instant petition, which reads as :

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR no.213, dated 24.10.2023 (Annexure P-1), under Section 13(2) of the HGS Act, and GS Act, and under Section 11 of Prevention of Cruelty to Animals Act, (however in the impugned Annexure P-2, offences under Sections 5/13(2), 17 of the HGS Act, and GS Act, and Section 11-59-60 A.C. Act have been mentioned), registered at Police Station Nagina, District Nuh.

Learned counsel for the petitioner inter alia submits that the instant FIR, has been registered only on the basis of a secret information and the petitioner has been roped in this case only on the ground of his criminal antecedents.

He further submits that there is no evidence with the investigating agency that the animals which were found in



the said Tata Canter, were being taken for the purpose of slaughtering.

He also submits that the petitioner is ready and willing to cooperate with the investigating agency.

Notice of motion.

Mr. Bhupender Singh, DAG, Haryana, accepts notice on behalf of respondent-State, and waives service.

Adjourned to 22.10.2024.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so, and shall abide by the conditions as provided under Section 482(2) of BNSS, 2023.”

2. Thereupon, the learned State counsel has filed the reply, and the clear stand taken by the respondent-State, that the petitioner has not joined the investigation, despite giving him the interim protection, by this Court.

3. Thereafter, on the request of the learned counsel for the petitioner, the matter was adjourned and one more opportunity was granted to the petitioner, to join the investigation, within 10 days, and to fully cooperate with the investigating officer concerned. It was also categorically recorded in the order dated 22.10.2024, that in case, the petitioner failed to join the investigation and cooperate with the investigating officer concerned, this Court would decide the instant petition, on its own merits.

4. Today, no one has caused appearance on behalf of the petitioner, whereas, the learned State counsel, on instructions from ASI Vijay Singh and the quarter concerned, submits that the petitioner has not yet joined the investigation.

5. Considering the conduct of the petitioner, that despite giving two effective opportunities, to join the investigation, the petitioner has failed to join the investigation, therefore, the petitioner is not entitled for the asked for relief of pre arrest bail.
6. Accordingly, the instant petition is **dismissed**.

(KULDEEP TIWARI)

JUDGE

November 13, 2024

Manpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No