

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

CRM-M-51728-2023 (O&M)
Date of Decision:- 31.01.2024

Mohammad Kamil ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dhruv Gupta, Advocate, for the petitioner.

Mr. Munish Sharma, DAG, Haryana,
assisted by ASI Ramesh.

FIR NO.	DATE	POLICE STATION	OFFENCES
187	10.4.2023	Parao Ambala Cantt. District Ambala	13(2) of the Haryana Gauthansh Sanrakshan & Gausamvardhan Act 2015 & 11, the Prevention of Cruelty to Animals Act, 1960

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
2. The case of the prosecution is that on 10.4.2023, during the course of checking of vehicles near NDI Plaza, Mohra, a truck bearing registration No.UP-21-CN-4857 was signalled to stop. However, the driver of the truck tried to escape, but was apprehended by the police. It is further the case of prosecution that the driver of the truck disclosed his name as Mohd. Wasim and another person who was arrested at the spot disclosed his name as Sukha Aslam. It is further the case of the prosecution that the petitioner who was also

accompanying the other co-accused (5 in all) managed to escape from the spot. The truck was found to be loaded with 28 cattle which were being cruelly transported for slaughtering.

- 3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and was never ever present at the spot and as such deserves the concession of anticipatory bail.
- 4. Opposing the petition, learned State counsel submitted that apart from the disclosure statement of the co-accused, it was verified that the truck in question stands registered in the name of the petitioner, which shows the involvement of the petitioner. Learned State counsel has however, informed that pursuant to directions issued by this Court on 12.10.2023, the petitioner has joined investigation and is not required for any custodial interrogation.
- 5. This Court has considered the rival submissions.
- 6. Having regard to the fact that the petitioner was not apprehended at the spot and is otherwise stated to have joined investigation and is not wanted for custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 12.10.2023 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.

31.01.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No