



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

CRM M-53662-2023 (O&M)
Date of Decision: 07.05.2024

Kali @ Mustakeem

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana
assisted by Inspector Dinesh.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.883 dated 16.11.2021 registered under Sections 420, 411 and 120-B IPC and Sections 5, 13(1), 13(2) and 17 of Haryana Govansh Sanrakshan & Gosamvardhan Act, 2015 and Section 11 of Animals Cruelty Act, 1960, at Police Station, Camp Palwal, District Palwal.

2. Petitioner along with co-accused is allegedly involved in transportation of cows for the purpose of slaughtering.

3. Learned counsel contends that petitioner was granted interim bail vide order dated 20.10.2023 and in pursuance thereof, he has joined investigation; thus, his custodial interrogation is not required.

4. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

5. Heard learned counsel for the parties and perused the paper-book.



6. A Coordinate Bench of this Court vide order dated 20.10.2023, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for the petitioner submitted that it is a case where the allegations against the petitioner were that he along with other co-accused had committed an offence under Sections 420, 120-B, 411 of the IPC; Sections 5, 13(1), 13(2), 17 of the Haryana Govansh Sanrakshan and Gosamvardhan Act, 2015 and Sections 11, 59, 60 of the Animals Cruelty Act, 1960. He further submitted that there is no connection of the petitioner with the present offence and even as per the allegations, there were two number plates on the truck but none of the number plates have any relationship with the present petitioner nor named in the name of the petitioner. He also submitted that the petitioner has been named in the present case only in view of the fact that earlier he was involved in similar kind of case, in which he has been acquitted.

Notice of motion.

Ms. Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the respondent-State and seeks time to get instructions in the present case.

Adjourned to 30.01.2024.

In the meantime, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail, subject to his furnishing personal bonds and surety to the satisfaction of the 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 438(2) Cr.P.C.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required by the Police, at this



stage; thus, order dated 20.10.2023 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

07.05.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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