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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-55177-2024 (O&M)

Date of Decision : 28.11.2024

SUBEDDIN

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Rosi, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

KIRTI SINGH, J.(Oral)

1. Apprehending arrest in FIR No.347 dated 16.09.2024, under Sections 5 and 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 registered at Police Station Sadar Nuh, District Nuh, the petitioner has preferred this petition under Section 482 of BNSS for grant of anticipatory bail.

2. The above-mentioned FIR was registered on the basis of complaint made by SI Balbir Singh. The contents of the above-mentioned FIR are reproduced herein below :-

“To Station House Officer, Police Station Sadar Nuh, Jai Hind, that on 16/09/2024, SI Balbir Singh along with police staff i.e. ESI Satbir Singh No. 603/Nuh, Ct Hemant No. 866/Nuh, in a government vehicle bearing registration No.HR 27 GV 5892, whose driver Bijendra Singh and they were on patrolling duty for crime detection and crime control and were present at village Sudaka-Kairaka turn Sudaka. A secret informer met to SI Balvir Singh and gave an information that Subedin s/o Nasru resident Golpuri, police station Sadar Nuh, who does the business of cow slaughter and today he will bring cows by tying them together from village Golpuri and will go to Sungaaka (Rajasthan) for slaughtering the cows and if a raid is conducted by



reaching at the spot on Sudaka-Kairaka turn, then the accused can be apprehended red handed along with the cows. The information was considered to be truthful and raiding party was constituted. The raiding party reached at the aforesaid spot. The passer people were asked to join investigation of the case, who declines for the reason best known to them. The secret information was shared with the raiding party. After sometime, a person was seen bringing some cattle tying them together near the village bus stand. On seeing the police party, the aforesaid person immediately left the cattle at the spot and ran away in the street of village. SI Balbir Singh, with the help of his raiding party, tried his best to apprehend the aforesaid accused. However, the accused managed to escape taking advantage of Narrow Street of the village. He was searched a lot but could not be found. The informer identified him as Subbedin s/o Nasru r/o Golpuri Police Station Sadar Nuh. The raiding party return at the spot and on checking, found 04 Cow, 03 bulls and 01 calf. The total cattle found at the spot were 08 and they were found tied each other, which were separated from the yoke and tied in a plot. The above 08 cattle were taken into possession by the police through memo of recovery and the said memo was got attested from the attesting witnesses. The petition/accused was taking the cows from Haryana to Rajasthan for slaughtering them and a crime 5/13(2) HGS & GS Act 2015 was committed by him upon which case FIR No. 347 dated- 16.09.2024 u/s 5/13(2) HGS & GS Act 2015 registered in police station Sadar Nuh, District-Nuh".

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. She further states that nothing is to be recovered from the petitioner and that the petitioner has not committed any offense. Learned counsel also submits that the petitioner is ready to join the investigation and cooperate therewith.

4. Reply dated 21.11.2024 by way of an affidavit of Ajaib Singh, HPS, Deputy Superintendent of Police, HQ, Nuh on behalf of respondent-State has been filed by learned State counsel in Court today, which is taken on record.

5. It has been argued by learned State counsel while referring to the reply submits that the police party had received a secret information and on the basis of which a raid was conducted, however the petitioner successfully escaped

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from spot. During the investigation, a rough site plan of the incident location was prepared, and statements of witnesses were recorded under Section 161 Cr.P.C. The recovered cows were sent to the Gaushala in village Sangal, and a receipt was obtained. He further submits that the petitioner was actively involved in the cow slaughtering and the petitioner is a habitual offender and he is involved in two other cases which are of similar in nature as detailed below:

- **FIR No. 65/2024** under Sections 5/13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, Police Station Sadar Nuh.
- **FIR No. 427/2024** dated 03.11.2024 under Sections 5/13(2) of the HGS & GS Act, Police Station Sadar Nuh.

6. Heard the rival submissions made by learned counsel for the parties and perused the record.

7. There are serious allegations leveled against the petitioner as two other cases of similar nature are registered against him. Accordingly, to unearth the true dimension of the alleged crime, this Court does not deem it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner at this stage.

8. The petition is dismissed.

9. Pending application(s), if any, also stands disposed of accordingly.

28.11.2024
Kavita

(KIRTI SINGH)
JUDGE

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