



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-60469-2024

Date of Decision: 03.12.2024

Rahul

...Petitioner

vs.

State of Haryana

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Gaurav Grover, Advocate with
Ms. Charu Sharma, Advocate and
Mr. Himanshu Grover, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case FIR No. 05, dated 16.01.2023, under Sections 13(1), 13(2) of the Haryana Gau Sanrakshan and Gausamvardhan Act, 2015 and under Sections 11,59,60 of Prevention of Cruelty to Animals Act and under Sections 307,429,120-B of IPC, registered at Police Station Jakhal, District Fatehabad (Annexure P-1).

2. Learned counsel for the petitioner contends that even though the petitioner has been named in the FIR, but he was not present at the spot. He has been falsely involved only on the basis of suspicion and had no concern with the allegations levelled by the complainant. He further contends that in the present case, Sabudeen, Shahjad, Rijwan Ulhaq and Kishan, all main accused were arrested by the police at the spot, however, they have granted the concession of regular bail by the Trial Court. Learned counsel for the petitioner has placed reliance on the orders passed by this Court in CRM-M-36127-2024

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titled as “Sanjay @ Happy @ Fanda Vs. State of Haryana, CRM-M-42840-2024 titled as “Salman Vs. State of Haryana and CRM-M-42859-2024 titled as “ Budha @ Budh Ram Vs. State of Haryana, whereby, the similarly placed co-accused have been granted the concession of anticipatory bail by this Court.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of anticipatory bail by this Court.

4. I have heard the learned counsel for the parties and perused the record carefully in the present case.

5. In the present case, Sabudeen, Shahjad, Rijwan Ulhaq and Kishan were arrested at the spot and have already been ordered to be released on bail by the Trial Court. Apart from that, in the present case, recovery has already been made from the main accused and the custodial interrogation of the petitioner may not be required, at this stage. Apart from that, Budha @ Budh Ram, Sanjay @Happy @ Fanda and Salman have already been granted the concession of anticipatory bail by this Court.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

03.12.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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