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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.14311 of 2025
Date of decision: 17.03.2025

Inus ... Petitioner

Vs.
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Nafees Ahmad Khan, Advocate,
for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
100	23.03.2024	Sadar Nuh, District Nuh	3/13(1) and 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and 353, 186, 201 and 120-B of IPC and 11 of Prevention of Cruelty to Animals Act, 1960.

2. As per the allegations, on 23.03.2024, a police party headed by Sub Inspector Bachhu Singh had gone to the village Halock Bai, Mewat on the basis of a secret information and had found the petitioner and

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others while slaughtering cows. They had pelted stones towards the police party and then by taking advantage of darkness, escaped. Many slaughtered cows, two alive cows and implements used for slaughtering cows were recovered from the spot. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Nuh vide order dated 18.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The co-accused Khurshid and Mukeem have been extended benefit of regular bail. No recovery is to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. Therefore, it is urged that he deserves to be given benefit of pre arrest bail.

4. Notice of motion.

5. On advance notice, Mr. Apoorv Garg, Sr. DAG, Haryana has appeared on behalf of the respondent-State and is ready to argue. It is submitted by him that the co-accused were extended benefit of regular bail and not anticipatory bail. The allegations against the petitioner are serious in nature. There are chances of his absconding if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

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6. I have heard learned counsel for the parties at considerable length and have gone through the record.

7. The petitioner is alleged to have involved in the business of cow slaughtering. He along with the co-accused was found slaughtering cows by a policy party but had run away from the spot and had absconded. Recovery of two alive cows, skins of the cows and weapons have been effected from the spot. No recovery is to be effected from the petitioner. The subject offences are triable by Magistrate. In the given nature of the allegations, I am of the considered opinion that pre trial incarceration of the petitioner is not required. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest, on the following conditions:-

- (i) He shall furnish requisite personal/surety bonds to the satisfaction of the Arresting officer/investigating officer by appearing before him within a period of ten days;
- (ii) He shall appear before the Investigating Officer as and when called subsequently and submit all documents and details as may be called upon by him.
- (iii) He shall not tamper with the evidence or cause any threat or to any of the prosecution witnesses in any manner.

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- (iv) In the event of violation of any of the abovesaid terms, his bail shall stand automatically cancelled.
- (v) He shall not leave the country without prior permission of the trial Court.
- (vi) He shall regularly appear before the Court on every date of hearing and also and when called upon to do so during the course of trial.

8. It is further clarified that the observations made above are only for the purpose of consideration of application for anticipatory bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

17.03.2025
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(MANISHA BATRA)
JUDGE

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