



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

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**CRM-M No.18950 of 2025
Date of decision: 15.05.2025**

SABIR**.... Petitioner****Versus****STATE OF HARYANA****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Nafees Ahmad Khan, Advocate for the petitioner.
Ms. Sheenu Sura, D.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case arising out of FIR No.100 dated 23.03.2024 registered under Sections 3/13(1) and 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 353, 186, 201 and 120-B of IPC and Section 11 of Prevention of Cruelty to Animals Act, 1960, at Police Station Sadar Nuh, District Nuh.

2. Vide order dated 05.04.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 05.04.2025, passed by this Court, reads as under:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) by the petitioner for grant of anticipatory bail in case arising out of FIR No.100 dated 23.03.2024 registered under Sections 3/13(1) and 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 353, 186, 201 and 120-B of IPC and Section 11 of Prevention of Cruelty to Animals Act, 1960, at Police Station Sadar Nuh, District Nuh.



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 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 03.05.2024.

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 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.

Notice of motion.

On advance notice, Mr. Apoorv Garg, Sr. DAG, Haryana has appeared on behalf of the respondent-State and has submitted 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. He seeks time to file status report.

Adjourned to 15.05.2025.



In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

It would, however, be open to the learned State counsel to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”

- 3. Status report dated 14.05.2025 filed on behalf of respondent-State is taken on record.
- 4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined and he is not required for custodial interrogation.
- 5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 05.04.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)
JUDGE

15.05.2025
Jyoti-IV

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