



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-31224-2025
Date of Decision : 03.12.2025

MOHD. SALIM @ KAKA KHUSSA

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Naveen Kumar, Advocate for
Mr. Imran Farooqi, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. This petition for grant of anticipatory bail has been filed by petitioner, a co-accused in case bearing FIR No.197 dated 20.10.2023, registered against him at Police Station City Sangrur, District Sangrur, u/s 295 IPC and Section 11 of Prevention of Cruelty to Animals Act, 1960.
2. Learned State counsel submits that petitioner has joined the investigation. Though, it has been pointed out that past antecedents of petitioner are far from satisfactory; he being involved in 16 cases of like nature.
3. On 02.06.2025, following order was passed.

“The petitioner through instant petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is seeking anticipatory bail in FIR No.197 dated 20.10.2023 under Section 295 of IPC and Section 11 of the Prevention of Cruelty to Animals Act, 1960, registered at Police Station City Sangrur (Annexure P-1).



Learned counsel for the petitioner inter alia contends that alleged recovery of Bull was not made from the petitioner. He was not even present at the spot at the time of commission of alleged offence. The FIR in question was registered on 20.10.2023.

Notice of motion, returnable for 18.08.2025.

Mr. K.D.Sachdeva, DAG, Punjab, who on advance notice is present in court accepts notice on behalf of State-respondent. He submits that final report against Jagsir Singh, Gurtej Singh and Sukhchain Singh stands filed on 28.05.2025. Challan against petitioner would be presented on completion of investigation.

*Considering the fact that FIR was registered in October '2023, petitioner was not present on the crime scene, nothing was recovered from him, arguments put forth by the petitioner and law enunciated by Hon'ble Supreme Court in **Thana Singh v. Central Bureau of Narcotics, (2013) 2 SCC 590, Arnab Manoranjan Goswami V. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil V. CBI (2022)10 SCC 51, Siddharam Satlingappa Mhetre V. State of Maharashtra & Ors., 2010 SCC OnLine SC 1375, Shri Gurbaksh Singh Sibbia V. State of Punjab (1980) 2 Supreme Court Cases 565, Arnesh Kumar V. State of Bihar (2014) 8 SCC 273**, this Court is of the prima facie opinion that petitioner deserves protection from arrest. Accordingly, at the first instance, the petitioner is directed to appear before investigating officer on 10.06.2025 and thereafter as directed by IO.*

In the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of investigating/arresting officer. The petitioner shall co-operate with the investigating officer. The petitioner shall not influence the witnesses; destroy, interpolate or manipulate evidence and leave country without prior approval of the trial court.

If the arresting officer does not permit the petitioner to join the investigation, the petitioner would appear before the learned Illaqa Magistrate who would then summon the arresting officer and



direct him to join the petitioner in investigation, in terms of the order of this Court.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.”

- 4. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 02.06.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
- 5. The petition stands allowed.
- 6. Pending application, if any, also stands disposed of.

(AARADHNA SAWHNEY)
JUDGE

03.12.2025
Nisha Yadav

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>