

2025:PHHC:087177



CRM-M-37625-2025
IN THE HIGH COURT OF PUNJAB AND HARYANA
107 AT CHANDIGARH

CRM-M-37625-2025
Decided on: 17.07.2025

Raseed @ Rashid ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arjun Atri, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
47	30.03.2024	Uttawar, District Palwal, Haryana	3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act 2015

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 16 of the bail petition, the petitioner declares the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	187	2021	13(2), 17 HGS & GS Act	Uttawar
2	21	2022	13(2) HGS & GS Act	Uttawar

3. The facts and allegations are being taken from the order dated 08.07.2025 (Annexure P-2) passed by the Additional District & Sessions Judge, Palwal, which reads as follows:



CRM-M-37625-2025

“the factual background of the case of the prosecution is that on 30.03.2024, HC Azeem (No. 1122/PWL), along with Constable Krishan (No. 313/PWL), SPO Ashok (No. 177), and SPO driver Harish (No. 356/PWL), was on crime patrol duty near the village Rupdaka Bus stand, using government vehicle HR-30GV-3641 and carrying a laptop. While present at the location, a confidential informant met the police party and disclosed that Nadeem (s/o Jameel) and Rashid (s/o Kayyum), both residents of Rupdaka, P.S. Uttawar, District Palwal, were involved in cow slaughter and selling cow meat. The informer added that the two were currently engaged in cow slaughter at Nadeem's residence. Treating the information as credible, HC Azeem informed the accompanying officials and requested local citizens to join the police raiding party. However, as they all belonged to the same religion, they declined participation. Thereafter, HC Azeem and his team, along with the informant, reached the location identified by the informer Nadeem's house. There, two individuals were found in the act of slaughtering a cow. On spotting the police, both attempted to flee. One of them jumped over a wall and fell on nearby stones. He was apprehended with the help of the police team and identified himself as Nadeem s/o Jameel, a resident of Rupdaka. The informer and Nadeem disclosed that the second person who had escaped was Rashid s/o Kayyum, also from Rupdaka. Upon searching the premises, the police recovered cow meat in a silver tub from a room in the house. Instruments used for cow slaughter one iron chopper and one iron sickle were also recovered. A private scale was arranged, and the cow meat, along with the silver tub, was weighed. The total weight came out to be 6.340 kg. All items, including the meat and slaughter tools, were seized as evidence under a proper memo signed by the accused and witnesses. The seized tools were sealed and packed separately. It was concluded that the accused, Nadeem and Rashid, had jointly committed the offence of Cow slaughter and selling cow meat, punishable under Sections 3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act. A typed complaint was handed over to Constable Krishan (No. 313/PWL), and FIR was registered at P.S. Uttawar. Initial investigation was conducted by HC Azeem and later continued by HC Rajender Singh. During investigation, the spot was inspected, and on the basis of credible evidence, Nadeem was arrested on the same day (30.03.2024). His arrest



CRM-M-37625-2025

memo, personal search memo, and identification form were prepared. His disclosure statement was recorded. A Veterinary Surgeon from Hathin was informed, who arrived at the spot and took a separate sealed sample of the recovered meat. The meat sample was sent for testing to the Veterinary Lab in Faridabad, and its Forensic report was placed on file. Sufficient evidence having been collected, a final charge-sheet under Section 173(2) CrPC was filed before the Court on 17.05.2024 against Nadeem. As for the co-accused Rashid, he remained absconding despite repeated efforts to apprehend him. A non-bailable warrant dated 11.11.2025 was issued against him by the Court at Hathin.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. While opposing the bail, it has been contended on behalf of the State that the petitioner is a habitual offender and two other similar FIRs are also pending against him.

REASONING:

6. Allegations against the petitioner are that he slaughters the cows for beef.

7. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. Moreover, the recovery of beef have already been effected from the spot and petitioner was named on the basis of disclosure statement. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

8. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.



CRM-M-37625-2025

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner’s complying with the following terms.
12. The petitioner is directed to join the investigation as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.
13. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
14. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.
15. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

2025:PHHC:087177



5

CRM-M-37625-2025

16. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

17. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

18. Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

17.07.2025

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Whether speaking/reasoned: Yes

Whether reportable: No.