



CRM-M-39647-2025

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

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**CRM-M-39647-2025
Decided on :15.09.2025**

Arshad alias Arshad Khan

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhinav Sood, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

Mr. Randeep Singh Dhakla, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.107 dated 22.03.2023, under Sections 323, 341, 379-B, 365 IPC and Sections 25, 54 of Arms Act, 1959 (Sections 395 and 397, 120-B IPC were added later on), registered at Police Station Ferozepur Jhirka, Tehsil and District Nuh.

2. As per the allegations in the FIR, a vehicle bearing registration number RJ-14-GL-1780 was forcibly taken away by the accused persons—namely (i) Akram, (ii) Pappu, (iii) Sarafat, (iv) Babu, (v) Wasim @ Billu, (vi) Ashfaq, along with 6–7 unidentified individuals—while they were in possession of illegal weapons.



FIR was registered at the instance of the vehicle's driver, Rakesh, who alleged that the said vehicle was transporting 21 buffaloes and 41 calves for delivery to a meat factory in Village Ghata Shamshabad (Ferozepur Jhirka), during the night, on the Delhi–Mumbai Express Highway. According to him, the accused arrived in a Bolero and an Alto car, assaulted him, and then took away the vehicle along with the animals and also kidnapped the driver. The incident was later reported to the vehicle's owner, and during the course of the investigation, the vehicle was recovered by the police.

Main allegations revolve around the unlawfully taking of 21 buffaloes and 41 calves, along with the snatching of Rs. 2 lakhs that was lying in the vehicle.

3. Counsel for the petitioner argues that the version given in the FIR is fabricated, as the case was registered only after the empty vehicle had already been recovered. It is submitted that the present case does not, in fact, involve kidnapping, dacoity, or snatching, but rather concerns a dispute over the rightful custody of the animals and their intended dispatch to a slaughterhouse.

It is further argued that no material has been collected during the investigation to establish ownership of the animals or to confirm that they belonged to the complainant or his employer. It is also contended that the complainant, Rakesh, might himself have been involved in the disposal of the animals and subsequently filed the FIR after the vehicle

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was recovered, in which he was employed as a driver. Therefore, the petitioner prays for the grant of bail.

4. On the other hand, learned State Counsel, assisted by Counsel for the Complainant, submits that the allegations are of a serious nature. It is alleged that petitioner and his co-accused were involved in a brutal act and showed no regard for the lives of helpless and innocent animals. Hence, prays for dismissal of the present petition.

5. I have heard the learned counsel for the parties and perused the relevant material on record.

6. Petitioner is in custody since 06.04.2025. At this stage, continued incarceration of the petitioner does not appear to be warranted until the charges are conclusively proved. As the conclusion of the trial is likely to take considerable time, the plea for bail is found to be worthy of consideration.

Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



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independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

15.09.2025

Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*