



CRM-M-47289 of 2025

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

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CRM-M-47289 of 2025
Date of Decision: 27.08.2025

Nayyum

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

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

Mr. Neeraj Sheoran, Sr. DAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.135 dated 16.08.2025 registered under Sections 13(1) and 3 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, at Police Station Nagina, District Nuh.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has not committed any such offence. The story of the prosecution is that he had fled away from the spot is concocted one and the petitioner has nothing to do with the alleged occurrence. He further argued that nothing is to be recovered from the petitioner and he is ready and willing to join the investigation as and when called upon to do so by the investigating agency.



3. Opposing the prayer for anticipatory bail, learned State counsel, who is present in court on advance notice, has submitted that on receiving a secret information that the petitioner along with co-accused was indulging in the business of cow slaughter and they have already slaughtered a cow and are in process of slaughtering another one. The Police conducted raid at village Badarpur accompanied by the secret informer. At the time of raid, it was found that three persons were preparing to slaughter a red colour cow and when the police officials tried to apprehend, they fled away from the spot. One injured cow and 60-70 kg. of slaughtered beef were recovered from the place and there was blood scattered all over. All the three accused, including the petitioner, were identified by the secret informer. The recovery was video-graphed by the Police and veterinary doctor was called on the spot. He further argued that custodial interrogation of the petitioner is essential to unearth the modus-oprandi of the petitioner and also to know as to from where the cows were procured for slaughtering and to whom the beef was to be supplied.

4. Heard learned counsel for the parties and perused the paper-book with their assistance.

5. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '*State Vs. Anil Sharma*', (1997) 7 SCC 187, wherein it has been held as under:



"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

6. Now, coming to the facts of the present case in hand, the police had received a secret information specifically with regard to the petitioner and co-accused indulging in the business of cow slaughtering. It is a specific case of the prosecution that blood was scattered all over and 60/70 kg of beef was recovered from the spot, besides an injured cow tied with rope. The complete nexus from where the cows were procured for slaughtering is yet to be exposed by the police. The custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it



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will leave many loose ends, which is not desired.

7. Accordingly, the present petition being devoid of merits is hereby dismissed.

8. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

27.08.2025 (RUPINDERJIT CHAHAL)
D.Bansal JUDGE

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