

2025:PHHC:117077



106

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.47768 of 2025
Date of decision: 29.08.2025

Kasam ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Apoorv Garg, Addl. AG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
46	18.05.2025	Akera, District Nuh	8 and 13(3) (wrongly written as 13(2) in the petition) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 (For short “Act, 2015”)

2. As per the allegations, on 18.05.2025 a police party headed by HC Krishanpal was present at Village Meoli turn, Indana in connection with patrolling and crime detection duty when a secret information was

2025:PHHC:117077



received that the petitioner was involved in the business of selling beef and was going towards Khorī village for the purpose of sale of the same and could be apprehended. Believing the secret information to be true, a raiding party was immediately formed which reached at the informed place and tried to apprehend the petitioner. He managed to flee while throwing two polythene bags held by him. On checking, 1 kg 900 grams of beef was found to be kept therein. A case was registered. Investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Nuh vide order dated 10.07.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

4. Notice of motion.

5. Mr. Apoorv Garg, Addl. AG, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted by him that the petitioner is a habitual offender as six other cases of similar nature are pending against him. There are chances of his committing similar offences if extended benefit of bail. It is, therefore, urged that he does not deserve to be extended benefit of pre arrest bail.

2025:PHHC:117077



6.

This Court has considered the rival submissions.
7.

The petitioner is alleged to be found in possession of beef in violation of provisions of Sections 8 and 13(3) of the Act, 2015. He is a habitual offender since six other cases of similar nature are pending against him. For conducting thorough and proper investigation in the matter, his custodial interrogation is must. The powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.
8.

It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

29.08.2025
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(MANISHA BATRA)
JUDGE

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