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(236)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52241-2025

Date of Decision: 22.09.2025

SHAHID

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

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

Mr. T.P. Singh, Sr. DAG, Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.129 dated 09.06.2025 registered under Sections 3/13(1), 8/13(3), 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Pinangwan.

2. The present FIR came to be registered at the instance of ASI Babu Ram and the same reads as under:-

“To the SHO, P.S. Pingawa. Today I ASI alongwith Constable Ajay No.675/Nuh, HGH Sonu, HGH Hans Raj were present at the gate of Police Station for the purpose of checking the crime in the government vehicle No.HR-27-GV-8533 driven by Constable Chetan No.320/Nuh, at that time an informer came there and informed that persons namely Tahir, Usman, Rashid sons of Atru, Abbas son of Ashu, Jabbuna W/o Ashu, Iqbal son of Juhar Khan and Sahid S/o Sakur resident of Jhimrawat, P.S. Pinghwa are indulged in cow slaughtering and used to sell the



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same on Motorcycle No. HR-93-B-5703 in the nearby areas. Today also all these persons in the residential houses of Tahir, Abbas and Jabbuna, etc are cutting the beef into the small pieces after slaughtering the cow with the help of knife, Axe and Sickle and after getting the same pack in the polythene will take it on the motorcycle, for selling the same. If a raid is conducted at the residential houses of Tahir, Abbas and Jabbuna, etc. then the accused persons alongwith beef, motorcycle and objects used for slaughtering the cow can be apprehended at the spot. After receiving the information and finding it credible, the persons who were passing through the spot were asked to join the raiding party but they went away while explaining their hardships. I informed my fellow employees regarding the information and while taking the informer alongwith us, raided at the residential houses of Tahir, Abbas and Jabbuna. In the light of the vehicle as well as electricity, six persons and one lady were seeing running to whom the informer identified as Tahir, Usman, Rashid, Abbas, Jabbuna, Iqbal and Sahid residents of Jhimrawat. I ASI tried to apprehend them at the spot, but they all while taking advantage of darkness and crops ran away from the spot. After returning back I checked the spot and found that in the residential house of Abbas S/o Ashu and Jabbuna, in a room, one plastic piece of paper, fresh beef total weight 60 Kgs from which the blood was oozing out was recovered and from the courtyard of the joint mud hut of Tahir, Usman and Rasid sons of Attru, one piece of cloth, fresh beef from which the blood was oozing out including the head and mouth of cow alongwith one knife, one Axe, one cutter, one piece of wood and one instrument to sharpen the object alongwith motorcycle No. HR-93-B- 5703 Hero Syplender were found



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and all these objects were put into one white plastic bag and converted into parcel after fixing the three stamps of BR, the beef weighing 170 kgs, one head and mouth of the cow, the pulanda of cow slaughtering object alongwith motorcycle No. HR-93-B-5703 were taken into police possession as a piece of evidence. The list of recovered item was got signed by constable Ajay and Constable Chetan and e-evidence of the place of occurrence was also collected. The persons namely Tahir, Usman, Rashid sons of Atru, Abbas son of Ashu, Jaibuna W/o Ashu, Iqbal son of Juhar Khan and Sahid S/o Sakur resident of Jhimrawat, while doing the cow slaughtering for the purpose of selling it and by using the motorcycle for the said purpose, have committed an offence punishable under Section 3/13(1), 8/13(3) and 17 of HGS, GS Act. Therefore, a written endorsement is sent to the police station for the purpose of registration of FIR through constable Ajay. I be informed through proper number of FIR and the second investigation officer may kindly be send at the spot for the purpose of investigation. I ASI alongwith the case property and employed is present at the spot. Today in the area of Pinghawa. Sd/- Babu Ram ASI.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Jaibuna a co-accused from whose house the recovery has been effected has been granted the concession of regular bail by this Court vide order dated 02.09.2025 (Annexure P-3). Two co-accused namely, Rashid and Iqbal have been granted the concession of interim anticipatory bail vide orders dated 25.07.2025 and 18.08.2025 passed in CRM-M-39811-2025 & CRM-M-44630-2025. As the petitioner is in custody since 11.06.2025 but none of the 11 prosecution



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witnesses has been examined so far, the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that the nature of the allegations levelled against the petitioner and his co-accused do not entitle him to the concession of bail particularly when he is a habitual offender with two other cases of similar nature registered against him. He however, concedes that the petitioner is in custody since 11.06.2025, but none of the 11 prosecution witnesses has been examined so far and that some of the co-accused have been granted the concession of either anticipatory bail or regular bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and her co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 11.06.2025 but none of the 11 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when a co-accused namely, Jaibuna has been granted the concession of bail vide order dated 02.09.2025.

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Shahid is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

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8. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.25,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

22.09.2025

JITESH

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