IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

332 **CRM-M-62261-2024**
Decided on:20.05.2025

Aabid **……Petitioner**

Versus

State of Haryana **……Respondent**

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

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

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

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SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Aabid	377	30.09.2024	3/13(1) and 8/13(3) of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015	Sadar Nuh	Nuh(Mewat)

2. On 12.12.2024, following order was passed:-

> *" The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 377, dated 30.09.2024, Police Station Sadar Nuh, District Nuh (Mewal), under Sections 3/13(1) and 8/13(3) of the Haryana Cauvansh Sanrakshan and Gausamvardhan Act,2015.*
>
> *The FIR was lodged pursuant to receipt of secret information by the police to the effect that one Habbu and Aabid indulged in cow slaughtering and that even on the given day they were in possession of cows' meat. It is further the case of*

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prosecution that pursuant to receipt of said information a raid was conducted at the house of co-accused where one person was seen cutting pieces of beef. However, upon noticing the police party the accused are stated to have run away from the spot. It is further the case of prosecution that 20 Kgs of beef was recovered apart from an axe, a weighing scale and some weights.

Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that he was never ever arrested at the spot and even as per the case of prosecution it is from the house of the co- accused that the alleged recovery was effected.

Notice of motion for 20.05.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482 BNSS."

3**.** Learned counsel for the petitioner submits that, in compliance of the order dated **12.12.2024** passed by this Court, the petitioner has duly joined the investigation and has extended full cooperation. It is further submitted that custodial interrogation of the petitioner is not warranted. In view of the petitioner's cooperation and the nature of evidence involved, it is prayed that the interim protection granted earlier be confirmed and the petition for anticipatory bail be allowed.

4. On the other hand, learned State counsel does not dispute the submissions made by the petitioner's counsel and on instructions of SI Ashok Kumar confirms that, as of now, custodial interrogation of the petitioner is not required. However, it is submitted that the petitioner be directed to rejoin the investigation as and when required by the Investigating Officer. It is further clarified that in the event of non-

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cooperation or failure to join the investigation when called upon, the petitioner shall not be entitled to claim the benefit of anticipatory bail.

5. After hearing learned counsel for the parties, and upon perusal of the allegations levelled in the FIR as well as the issues highlighted during the course of hearing, and taking into consideration the fact that the petitioner has joined the investigation and has extended full cooperation, and that custodial interrogation is not required as of now, this Court deems it appropriate to allow the present petition. Accordingly, the prayer for anticipatory bail is accepted. The interim order dated 12.12.2024 is hereby made absolute. The petition is, thus, allowed.

6. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and shall abide by all the terms and conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023).

It is further clarified that in the event the petitioner fails to join or rejoin the investigation despite service of due notice by the Investigating Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

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It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

May 20, 2025
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Whether Speaking/Reasoned: **YES/~~NO~~**
Whether Reportable: **~~YES~~/NO**

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