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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3587/2025 & CRL.M.A. 28196/2025**

SARFRAZ

.....Petitioner

Through: Mohd. Shariq, Mohd. Javed and Mr.
Shivam, Advocates.

Versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amit Ahlawat, APP.
SI Layak Ali, Crime Branch.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **19.09.2025**

1. The present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 439 of the Code of Criminal Procedure, 1973²) seeks regular bail in FIR No. 135/2025 under Section 325/61(2) of the Bharatiya Nyaya Sanhita, 2023³, Section 11(L) of Prevention of Cruelty to Animals Act, 1960 and 4/12/8/13 of Delhi Agricultural Cattle Preservation Act, 1994 registered at P.S. Crime Branch.
2. The case of the prosecution is that on 2nd June, 2025, on receipt of tip-off, a police team led by SI Layak Ali intercepted vehicle No. DL-4CAM-

¹ "BNSS"

² "Cr.P.C."

³ "BNS"



7076 near Kakrola. Two of the occupants were apprehended at the spot, while the other two allegedly managed to flee. A search of the vehicle led to recovery of cattle meat and cattle heads, which were confirmed to be of cattle origin on veterinary examination. The apprehended persons, Akil @ Kaliya and Azam, allegedly disclosed the names of the two who had fled as Sarfaraz (the present Applicant) and Munna. Both were subsequently arrested. Investigation further led to the discovery of a godown at Nilothi Extension allegedly used for slaughter, and to the arrest of other persons said to be involved in procuring cattle or receiving meat. The Applicant, along with other co-accused, was charge-sheeted under the aforementioned provisions.

3. Counsel for the Applicant contends that he has been falsely implicated, as his involvement rests solely on the disclosure statements of co-accused Akil @ Kalia and Azam. His name does not appear in the FIR, and no direct recovery has been made from him. It is further submitted that investigation against him is complete and the chargesheet has already been filed, making further custodial detention unwarranted. While he does have prior cases from 2019, no new case has been registered thereafter, and he has remained on bail in those matters without any misuse. He states that the Applicant has deep roots in society and is not a flight risk.

4. *Per contra*, Mr. Amit Ahlawat, APP for the State, opposing the bail argues submits that the Applicant is part of a larger organised gang, with CDR analysis placing him at the scene, and his past antecedents demonstrating habitual conduct. He argues that enlargement on bail may impede the arrest of receivers of beef, against whom investigation is still ongoing.



5. The Court has considered the rival submissions and the material placed on record. The Applicant has been in custody since 17th June, 2025. Investigation *qua* him is complete and the chargesheet stands filed.

6. The prosecution's case against the Applicant of being part of an organised gang engaged in cow slaughtering, is based on disclosure statements, coupled with CDR analysis suggesting his presence at or near the crime scene where the cows were slaughtered. At this stage, the Court is unable to hold that the allegations are so conclusive as to justify continued incarceration, particularly since the investigation is complete and the chargesheet has already been filed.

7. As regards the criminal antecedents pointed out by the State, it is noted that the said cases pertain to the year 2019, and the Applicant has been granted bail in all those cases. No subsequent case is shown to have been registered against him.

8. The apprehensions expressed by the State regarding the possibility of the Applicant absconding, frustrating the arrest of co-accused, or interfering with the ongoing investigation, can be adequately safeguarded by imposing strict and appropriate conditions while granting bail.

9. It is well established through catena of judgments by the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.⁴ In view of the facts noted hereinabove and the principles governing grant of bail, this Court finds it appropriate to release the Applicant on bail, subject to conditions.

⁴ See also: *Sanjay Chandra v. CBI*, (2012) 1 SCC 40; *Satender Kumar Antil v. Central Bureau of Investigation*, (2022) 10 SCC 51.



10. The Applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of INR 25,000/- with two sureties of the like amount, subject to the satisfaction of the Trial Court/Duty MM, on the following conditions:

- a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO;
- b. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- c. The Applicant shall under no circumstance leave the country without the permission of the Trial Court;
- d. The Applicant shall appear before the Trial Court as and when directed;
- e. The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- f. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
- g. The Applicant shall report to the concerned P.S. on the first Friday of every three months;

11. In the event of there being any FIR/DD entry/complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

12. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence



the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

13. The bail application is allowed in the afore-mentioned terms.

14. Pending applications stand disposed of.

SANJEEV NARULA, J

SEPTEMBER 19, 2025/as