



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3235-2026

Date of decision: 20.02.2026

Azad

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Aazam Khan, Advocate for the petitioner.

Ms. Shweta Nahata, DAG, Haryana.

AARADHNA SAWHNEY, J (ORAL)

1. Petitioner, who is an accused in case FIR No.156 dated 04.07.2025 registered against him, for commission of offences punishable under Sections 3/13(1) and 8/13(3),17 of HGS & GS Act registered at P.S Sadar Tauru, District Nuh, has filed the instant petition, praying for grant of pre-arrest bail.

2. Relevant facts as emerging from the documents be noticed hereinbelow:

On 04.07.2025, SI Ashok Kumar along with other police officials were on patrolling duty at Tauru Bypass Turn, when they received an information that Jamshed, son of Abdul resident of Kheda Khalilpur, Mustaq son of Hasam resident of Dhulawat, Sagru, son of Rehmat resident of Mahalaka, Azad (petitioner) @ Thanda son of Dinu resident of Pachgaon are engaged in the illegal business of cow slaughter. Even today, after slaughtering the cows at the house of Sagru, son of Rehmat and cutting the meat into small pieces, they are heading for selling the same and that if a raid is conducted, they all can be apprehended red handed.

Relying upon the said information, police team headed for the spot. Request was



made to the passerbyes to join as independent witness to the case proceedings, who all expressed their helplessness. Police party, however reached the site so disclosed by the informer and noticed four persons present in the house of Sagru, who on seeing them (police officials) tried to run away. On account of sharp reflexes of the police team, they were able to apprehend two of them, namely, Jamshed and Mustaq. From their possession, 80 kilogram beef, 2 legs and slaughtering weapons i.e 2 knives, 2 axe, one wooden log, one Dagger, 1 iron weighing machine, two weights, one mobile phone and one unnumbered motorcycle were recovered, which were taken into possession. Both Jamshed and Mustaq were arrested at the site, who disclosed the names of other accused, including the petitioner.

Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail before learned Addl. Sessions Judge, Nuh. The same came to be dismissed vide order dated 14.01.2026. Aggrieved of which, present petition has been filed.

3. Learned counsel for the petitioner contends that the petitioner, who has been arrayed as an accused in the present case only on the basis of secret information given by the informer, has been falsely implicated in the present case. Petitioner was not present at the spot. He is not in any which way connected with the illegal business of cow slaughter but has been unnecessarily dragged in, only on account of some political rivalry in the village. Further, the fact that despite having allegedly received prior secret information, the police did not make any effort to join any independent person as witness to the proceedings raises a serious doubt on the genuineness of story put-forth by them. Towards the end, learned counsel contends that since the entire recovery has already been effected, custodial interrogation of the petitioner is not needed, for nothing is to be recovered from



him but being law abiding citizen, he is willing to join the investigation as and when called for. Thus prayer for allowing the petitioner has been made.

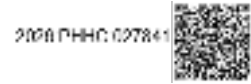
4. Per contra, while opposing the request for grant of bail, learned State counsel contends that only after the police team headed by ASI Ashok Kumar received secret information about few persons who were specifically named by the informer as being involved in the illegal business of cow slaughter, the team headed for disclosed site. When they reached at the house of Sagru, they noticed four persons. Some of whom were succesful in running away, whereas the other two (Jamshed and Mustaq) were apprehended at the site. Police team also noticed beef and other incriminating material including knife, iron weighing machine etc at the site. Those who were apprehended at the spot admitted to their involvement and also disclosed the names of their other accomplices as Azad (petitioner) son of Deenu and Sagru son of Rehmat.

Learned State counsel contends that presence of the petitioner is needed for custodial interrogation to find the whereabouts of other accused, who is still at large, to find out who all are involved in this illegal business profession, what is their *modus operandi* etc. It is also contention of learned counsel that apart from present case, petitioner is involved in 14 other criminal cases, some of which are of like nature, thus prima facie establishing his complicity in the offence. Learned counsels next contend that 'Cow' holds a sacred and revered place in the Hindu religion and Indian culture and the petitioner by indulging in these illegal acts has hurt the religious sentiments of the Hindu community. With these submissions, he prays for dismissal of the present petition.

5. I have heard learned counsel for the parties and perused the documents available on record.

6.

Before expressing any opinion on the submissions raised by learned



counsel of the parties, it would be appropriate to refer to the judgment of Hon'ble Supreme Court in "**Nikita Jagganath Shetty @ Nikita Vishwajeet Jadhav vs. The State of Maharashtra and another**" (2025 AIR SC 3375), wherein it has been held that Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner."

7. Factual aspects leading to the lodging of the FIR have already been noticed in para 2 of this order. Petitioner was named not only by the secret informer but also by the two accused, who were arrested at the site. Besides the present case, petitioner is involved in 14 other criminal cases, some of which are of like nature, thus *prima facie* establishing his involvement in the offence. Resultantly, the Court is of the opinion that the Custodial interrogation of the petitioner is required to find the whereabouts of the other accused, who is still at large, to find out who all are involved in this illegal profession, what is their *modus operandi* etc. Agreeing with the submissions made by learned State counsel, this Court is of the opinion that the petitioner has not been able to make out a case of exceptional depravity/hardship in his favour, entitling him for the grant of this extra ordinary relief of pre-arrest bail.

8. Accordingly, the present petition stands dismissed.

20.02.2026
manoj

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No