



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

248

CRM-M-18066-2026 (O&M)
Date of Decision:- 19.05.2026

Mohhamed Faruk @ Mohammad Farook @ Mohd. Farukh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Prince Goyal, Advocate with
Ms. Chhavi Budhiraja, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in a case bearing FIR No.0179 dated 05.09.2025 under Sections 3, 5, 8 and 11 of the Punjab Prohibition of Cow Slaughter Act, 1955, under Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Sections 299, 153, 325, 111(3), 190 and 191(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS' 2023) registered at Police Station Kotwali, Patiala, District Patial.
2. Brief facts of the case are that the present FIR has been registered on the statement of the complainant Vikas Kamboj @ Vicky, who is serving as Vice Chairman of Gau Raksha Dal, Punjab. He stated that he received information that one Arif @ Raju along with Mohammad Farooq (present petitioner) is involved in slaughtering cows and they consume the



same at their residence and also sell it. On the basis of this statement of complainant, present FIR was registered against accused persons.

3. Learned counsel for the petitioner prayed for concession of bail to the petitioner on the following grounds:

- I. That the petitioner has been falsely implicated in the present case.
- II. That the petitioner is in custody since 09.09.2025.
- III. That co-accused, namely, Arif Ali @ Mohd. Asik, has already been granted concession of regular bail by this Court vide order dated 24.04.2026 passed in CRM-M-21546-2026.
- IV. No report has been brought on record to establish that recovered meat was beef.
- V. Section 111(3) of BNS has been incorporated to make offence more serious in nature.
- VI. Investigation qua petitioner has already been completed.
- VII. Petitioner is having clean and clear antecedents and is not involved in any other criminal activity, except the present one.
- VIII. The trial will take sufficient time to conclude and no fruitful purpose would be served by keeping the petitioner in custody.

4. Learned State Counsel filed the custody certificate dated 18.05.2026, same is taken on record. He opposed the present petition on the following grounds:

- I. That the meat recovered from the possession of the co-accused as well as from present petitioner was sent to laboratory examination and the report regarding its nature is still awaited. At this stage, it cannot be ruled out that the recovered meat may pertain to prohibited cow meat/beef.



However, learned State counsel has fairly admitted that the petitioner is not involved in any other case except the present one and co-accused, namely, Arif Ali @ Mohd. Asik has already been granted regular bail by this Court vide order dated 24.04.2026 passed in CRM-M-21546-2026.

5. Heard.

6. Keeping in view the submissions of learned counsel for the parties, facts and circumstances of the case, this Court finds merits in the present petition on the following grounds:

- I. That the petitioner is in custody since 09.09.2025, i.e. for the last 8 months and 9 days.
- II. That co-accused, namely, Arif Ali @ Mohd. Asik has already been granted regular bail by this Court vide order dated 24.04.2026 passed in CRM-M-21546-2026.
- III. Petitioner has clean and clear antecedents and he is not involved in any other case except the present one.
- IV. No cogent material has been brought on record to substantiate the prosecution case and impugned order dated 31.10.2025 appears to have been passed primarily on the basis of presumptions.
- V. The trial is likely to take considerable time to conclude and no fruitful purpose would be served by keeping him in custody for any further period.

7. As concession of bail cannot be denied just as a measure of punishment and it is a trite principle of criminal jurisprudence that bail is a rule and jail is an exception. Hence, this Court deems it a fit case to grant the concession of regular bail to the petitioner.



CRM-M-18066-2026 (O&M) (4)

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

19.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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