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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-21546-2026****Date of decision: 24.04.2026****ARIF ALI @ MOHD. ASIK****....Petitioner****Versus****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA**

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner. (through V.C.).

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

SUBHAS MEHLA, J (Oral):

The present petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking grant of regular bail in 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 BNS, 2023 registered at Police Station Kotwali Patiala District Patiala.

2. Brief facts of the case are that the present FIR has been registered on the statement of the complainant Vikas Kamboj @ Vicky son of Naresh Kumar who claimed that he is serving as Vice Chairman of Gau Raksha Dal, Punjab. He stated that he received information that one Arif @ Raju along with Mohammad Farooq 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 namely Arif Ali-present petitioner, Mohammad Farooq and Irfan



and unknown persons.

3. Learned counsel for the petitioner contended that the petitioner has been falsely involved in this case; FIR was registered on the basis of statement of complainant, who is serving as Vice Chairman of Gau Raksha Dal, Punjab; no report has been brought on record to establish that the meat recovered was of beef; no chemical test of beef was conducted; no weapon has been recovered from the possession of the petitioner; the present petitioner has been in custody for the last more than 07 months; therefore, no fruitful purpose would be served by keeping the petitioner behind the bars as he is not required for recovery purposes; trial will take sufficient time to conclude and as such, prayed for concession of regular bail.

4. Notice of motion.

5. Mr. Subhash Godara, Addl. A.G. Punjab, who is present in Court, accepted notice on behalf of respondent-State, and by way of filing of custody certificate dated 23.04.2026, opposed the concession of regular bail to the petitioner and submitted that by indulging in these acts, the petitioner has hurt the religious sentiments of the community; the petitioner has been in custody for a period of 07 months & 14 days and as such, prayed for dismissal of the present petition.

6. Heard.

7. Taking into consideration the facts & circumstances of the case, the rival contentions raised by learned counsel for the parties, and upon careful perusal of order passed learned Additional Sessions, Judge,

Patiala dated 31.10.2025, the relevant extract is reproduced as below:-



“Serious allegations levelled against the accused / applicants regarding slaughtering of cow and supplying of cow meat (beef) and also cooking the same. There are allegations against the accused / applicants that by their act, they are disturbing the communal harmony between different religions and they are hurting sentiments of a particular religion. Thus, keeping in view the gravity of offence alleged to have been committed by the applicants/accused and serious allegations leveled, it is not a fit case where concession of regular bail can be granted to the applicants/accused. In case, the accused/applicants are released on regular bail, they may abscond. As such, having no merits in the present bail application, same is hereby dismissed.”

8. It is evident that nothing has been brought on record to show that petitioner has hurt the religious sentiments of any community as no recovery has been made from petitioner; further on query posed by this Court as to whether any report from Scientific Laboratory is available to substantiate the case of prosecution, learned State counsel answered in the negative; in absence of any such material, there is no concrete evidence to support the case of prosecution; and consequently, the impugned order dated 31.10.2025 appears to be based on mere presumption; the present petitioner is in custody for last 07 months & 14 days; trial will take sufficient time to conclude and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence



adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

9. 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.

10. Nothing observed herein shall be construed as an opinion on the merits of the main case.

(SUBHAS MEHLA)
JUDGE

24.04.2026
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |