



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

342

CRM-M-28488-2026 (O&M)

Date of Decision:- 26.05.2026

Irfan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Gazi Mohd. Umair, Advocate for the petitioner.

Mr. Rahul Kumar Aadia, Assistant A.G., Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case bearing FIR No.179 dated 05.09.2025 registered under Sections 3, 5 and 8 of the Punjab Prohibition of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Sections 299, 153, 325, 111(3), 190 and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (for short - 'the BNS') 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 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 used to consume the same at their residence and also sell it. On the basis of this statement of complainant, present FIR was registered qua the petitioner and



co-accused, namely, Arif Ali and Mohammad Farooq and some other unknown persons.

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

- i. Petitioner has been falsely implicated in the present case;
- ii. The petitioner is in custody since 11.09.2025, i.e. for 8 months and 10 days;
- iii. No offence under Section 111(3) of the BNS is made out as per the ingredients of the FIR;
- iv. No report has been brought on record to establish that the meat recovered was beef;
- v. Co-accused, namely, Arif Ali @ Mohd. Asik, has been granted concession of regular bail by this Court vide order dated 24.04.2026 (Annexure P-1) passed in CRM-M-21546-2026;
- vi. Investigation qua the petitioner has already been completed; and
- vii. Trial will take sufficient time to conclude.

4. Custody certificate dated 21.05.2026 of the petitioner has been filed by learned State counsel and the same is taken on record. As per custody certificate, the petitioner is in custody since 11.09.2025 i.e. for the last 08 months and 10 days.

5. Learned State counsel has not disputed this fact that case of the present petitioner is on similar footings to that of aforementioned co-accused,



namely, Arif Ali @ Mohd. Asik, who has already been released on regular bail.

6. Heard.

7. 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. The petitioner is in custody since 11.09.2025, i.e. for the last 8 months and 10 days;
- ii. Co-accused, namely, Arif Ali @ Mohd. Asik, has been granted concession of regular bail by this Court vide order dated 24.04.2026 (Annexure P-1) passed in CRM-M-21546-2026;
- iii. Investigation qua petitioner has already been completed;
- iv. Nothing cogent has been placed on record to substantiate the case of prosecution; and
- 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.

8. The concession of bail cannot be denied just as a measure of punishment, as it is a trite principle of criminal jurisprudence that bail is a rule, jail is an exception. Hence, in view of aforementioned ground, 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



CRM-M-28488-2026 (O&M) (4)

on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

26.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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