



CRM-M-66143-2025 with
CRM-M-5911-2026

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207-1

CRM-M-66143-2025
Decided on: 10.02.2026

ILYASPETITIONER
VERSUS
STATE OF HARYANARESPONDENT

207-2

CRM-M-5911-2026
Decided on: 10.02.2026

FAKRUPETITIONER
VERSUS
STATE OF HARYANARESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Neha Bindal, Advocate for
Mr. Khalid Tarun, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. By way of this common order, both the abovementioned petitions are disposed of together as they have arisen from one and the same occurrence.
2. Present petition(s) have been filed, under section 482 B.N.S.S., 2023, for grant of anticipatory bail to the petitioners in the case, detailed hereunder:-.

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
1. Ilyas, aged about 53 years	476	07.12.2024	Sections 3/13(1), 8/13(3), 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015	Sadar Nuh	Nuh
2. Fakru, aged about 48 years	476	07.12.2024	Sections 13(1), 13(3) of The Haryana	Sadar Nuh	Nuh



			Gauvansh Sanrakshan and Gausamvardhan Act, 2015		
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3. In CRM-M-66143-2025, filed by petitioner – Ilyas, on 26.11.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Ilyas, aged about 53 years	476	07.12.2024	Sections 3/13(1), 8/13(3), 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015	Sadar Nuh	Nuh

2. As per the prosecution, on the date of the incident, SHO of Police Station Sadar Nuh, while on patrol duty near Hathin-Nuh Road at Village Dhanduka Adda along with his team, received specific information from an informer that six individuals, namely Sabir and Shakir (sons of Nazir), Illa (son of Chhote Khan), Dilshad (son of Jafru), Fakru (son of Abdul), and Arif alias Gizah alias Ginjoi (son of Pappu), all residents of Village Sudaka, were engaged in the illegal slaughter of cows and at that moment, they were butchering cattle near Bainsi Road in Village Sudaka. Acting upon this information, police reached the specified location and observed six persons removing the skin of a cow, and a motorcycle was parked nearby. On noticing the police party, all the six Individuals abandoned their weapons and fled into the nearby populated area. A search of the spot resulted in the recovery of two half-skinned and cut bulls, a freshly slaughtered cow, two knives, two axes, a summa, a green plastic



meat tray, and a Hero Splendor motorcycle with its engine and chassis numbers erased. These articles and carcasses were seized, and the informer identified the six individuals as those involved in the illegal slaughter, leading to their booking under Sections 3/13(1), 8/13(3), and 17 of the Haryana Gauvansh Sanrakshan and Samvardhan Act.

3. *Counsel for the petitioner submits that petitioner was specifically identified by the informer as one of the accused who had actively participated in the slaughtering operation. He was allegedly seen holding an axe and pulling and removing the skin of the cow when the police arrived. Although he fled from the spot on seeing the police party, the prosecution asserts that his involvement stands established through the informer's identification and his active participation in the collective act.*

4. *Further argues that although the petitioner's name appears in the FIR based on the informer's identification, the narration of events is improbable, as it would not have been feasible for the accused to escape on foot when several armed police officials were present during the raid. It is further contended that petitioner, being previously acquainted with the police officials, has been falsely implicated.*

Further submits that even the motorcycle recovered from the spot belongs to the co-accused namely Arif, whose anticipatory bail has already been granted by the Court below and confirmed, vide order dated 11.02.2025.

He further points out that no incriminating or linking evidence connects the petitioner to the alleged offence, despite all recoveries already having been made from the spot.

5. *It is lastly submitted that petitioner was not required or sought by the police for more than 11 months, for the reasons best known to them, which also casts doubt on the genuineness of the allegations. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*



6. Notice of motion.
7. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent State, and seeks some time to file status report in the matter.
8. Adjourned to 10.02.2026.
9. Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).
10. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport
It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.
11. However, the concerned Superintendent of Police is directed to file an affidavit stating the material steps taken by the Investigating Officer to effect the arrest of the accused named in the FIR (petitioner herein), and to disclose any other connecting evidence, if available, collected by the prosecution against the petitioner during the course of the investigation.”

4. In CRM-M-5911-20266, filed by petitioner – Fakru, on 03.02.2026, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District



Fakru, aged about 48 years	476	07.12.2024	Sections 13(1), 13(3) of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015	Sadar Nuh	Nuh
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2. As per the prosecution, on the date of the incident, SHO of Police Station Sadar Nuh, while on patrol duty near Hathin–Nuh Road at Village Dhanduka Adda along with his team, received specific information from an informer that six individuals, namely Sabir and Shakir (sons of Nazir), Illa (son of Chhote Khan), Dilshad (son of Jafru), Fakru (son of Abdul), and Arif alias Gizah alias Ginjoi (son of Pappu), all residents of Village Sudaka, were engaged in the illegal slaughter of cows and at that moment, they were butchering cattle near Bainsi Road in Village Sudaka. Acting upon this information, police reached the specified location and observed six persons removing the skin of a cow, and a motorcycle was parked nearby. On noticing the police party, all the six individuals abandoned their weapons and fled into the nearby populated area. A search of the spot resulted in the recovery of two half-skinned and cut bulls, a freshly slaughtered cow, two knives, two axes, a ~~summa~~, a green plastic meat tray, and a Hero Splendor motorcycle with its engine and chassis numbers erased. These articles and carcasses were seized, and the informer identified the six individuals as those involved in the illegal slaughter, leading to their booking under Sections 13(1), 13(3), of the Haryana Gauvansh Sanrakshan and Samvardhan Act.

3. Counsel for the petitioner submits that petitioner was specifically identified by the informer as one of the accused who had actively participated in the slaughtering



operation. He was allegedly seen holding an axe and pulling and removing the skin of the cow when the police arrived. Although he fled from the spot on seeing the police party, the prosecution asserts that his involvement stands established through the informer's identification and his active participation in the collective act.

4. Further argues that although the petitioner's name appears in the FIR based on the informer's identification, the narration of events is improbable, as it would not have been feasible for the accused to escape on foot when several armed police officials were present during the raid. It is further contended that petitioner, being previously acquainted with the police officials, has been falsely implicated.

Further submits that even the motorcycle recovered from the spot belongs to the co-accused namely Arif, whose anticipatory bail has already been granted by the Court below and confirmed, vide order dated 11.02.2025. Similarly, co-accused namely Ilyas, has also been granted the concession of interim anticipatory bail by this Court, vide order dated 26.11.2025 passed in CRM-M-66143-2025.

He further points out that no incriminating or linking evidence connects the petitioner to the alleged offence, despite all recoveries already having been made from the spot.

5. It is lastly submitted that petitioner was not required or sought by the police for more than 11 months, for the reasons best known to them, which also casts doubt on the genuineness of the allegations. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail



to the petitioner in the present case.

6. *Notice of motion.*

7. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

8. *Adjourned to 10.02.2026.*

To be heard along with CRM-M-66143-2025.

9. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

11. *However, the concerned Superintendent of Police is directed to file an affidavit stating the material steps taken by the Investigating Officer to effect the arrest of the accused named in the FIR (petitioner herein), and to disclose any other connecting evidence, if available, collected by the prosecution against the petitioner during the course of the investigation.”*

5. Continuing the submissions, learned counsel for the petitioners in both cases contends that in compliance to the order dated 26.11.2025 and 03.02.2026 passed by the Court, both the petitioners have joined the investigation and have extended full cooperation. Therefore, prays for confirmation of the above-said interim anticipatory bail orders dated 26.11.2025 and 03.02.2026.



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6. Learned State counsel has filed an affidavit of Sh. Rajesh Kumar, IPS, Superintendent of Police, Nuh dated 09.02.2026 and confirms the factum of joining of investigation by the petitioners, namely Ilyas and Fakru. Additionally, it is pointed out by learned State counsel that the show cause notice has already been issued to I.O. ASI Jagat and Inspector Rajbir, Incharge, C.S. Staff Nuh to explain, why the disciplinary action be not initiated against them.

7. From the abovesaid affidavit, it is also noticed that as per the Call Detail Record (CDR) of accused/petitioner - Fakru, his location was found to be in the same town location as the scene of crime from 7:23 AM to 7:35 AM in village Sudaka and from 7:35 AM to 2:21 PM, no call was made by accused Fakru. Accused/petitioner - Ilyas is not found to be carrying any mobile at the scene of crime.

8. Heard learned counsel for the parties.

9. In view of the facts that both the petitioners have joined investigation and custodial interrogation is no more asked for; ad-interim orders dated 26.11.2025 qua petitioner - Ilyas and dated 03.02.2026 qua petitioner - Fakru are hereby ordered to be made absolute. Accordingly, present petitions are allowed.

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

However, it would be expected that Superintendent of Police, Nuh would ensure that show cause notices issued to the defaulting



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officers are taken to the logical end to avoid any further harsh direction/observation of this Court.

10. Accordingly, petition(s) stands disposed of.

11. However, present order is subject to the submission of their passport(s) to the Investigating Agency or to Court concerned, if they possesses, within a period of one week from today. Otherwise, they shall submit an affidavit, disclosing the fact that they does not possess any passport

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

Photocopy of this order be placed on the file of the connected case.

**(SANJAY VASHISTH)
JUDGE**

10.02.2026
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Whether Speaking/Reasoned:	YES/NO
Whether Reportable:	YES/NO