

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-68227 of 2025 (O&M)

Reserved On: 10.02.2026
Pronounced On: 20.2.2026

Narbir alias Narveer

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Abhishek Goyal and Mr. Saurav Gumbal, Advocates
for the petitioner(s).

Mr. Sunny Namdev, Assistant Advocate General,
Haryana, for the respondent.

Ms. Rosi, Advocate
for the complainant.

Surya Partap Singh, J.

1. This petition for bail, which is first petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023, has been filed with regard to a case arising out of FIR No. 22 dated 25.01.2025 for the commission of offence punishable under Section(s) 191(), 115, 351(3), 126 and 103(2) of the Bharatiya Nyaya Sanhita, 2023 lodged in Police Station Mundkati, District Palwal, Haryana.

2 The FIR of this case came into being at the instance of 'Ravi' son of Prem Chand, hereinafter being referred to as "complainant" only. It was stated by the complainant that on 24.01.2025 an incident had taken place in village Aurangabad wherein it was found that two cows and a calf

were being transported in mini truck. With regard to above mentioned transportation, the FIR No. 21 dated 25.01.2025 was lodged for the commission of offence punishable under Section(s) 5, 13(2) and 17 of the 'Haryana Gauvansh Sanrakshan and Gausamvardhan Act', 2015 and Section 11 of the 'Prevention of Cruelty to Animals Act,' 1960 Police Station Mundkati against 'Ravi', the driver of mini truck and 'Yousuf'.

3. As per prosecution, 'Ravi' and 'Yousuf' were thrashed by the public and therefore, the statement of 'Ravi' was recorded wherein he had stated that on the instructions of 'Yousuf' when he had loaded two cows and a calf in his mini truck and was transporting them to the village of 'Yousuf', 'Yousuf' escorted him on his motorcycle and in village Aurangabad eight/ten persons intercepted their vehicle and thrashed them brutally. According to complainant, he and 'Yousuf' had suffered injuries.

4. It is the case of the prosecution after the recording of above mentioned statement, both the injured, namely 'Ravi' and 'Yousuf' were got examined medico-legally and when 'Yousuf' passed away due to injuries suffered in the above mentioned incident, FIR No. 22 dated 25.01.2025 was lodged.

5. It is the case of the prosecution that once the FIR was lodged, the investigation was taken up and the accused were taken into custody.

6. Heard.

7. It has been contended on behalf of petitioner that the petitioner is innocent having no nexus, whatsoever, with the commission of crime, and that the name of petitioner does not figure in the FIR. According to learned counsel for the petitioner, the contents of FIR are vague and inconclusive

qua the role of petitioner as in the FIR the name of petitioner was not mentioned. As per learned counsel for the petitioner in the present case, although it is the case of prosecution that the incident has been recorded in the CCTV footage, but the above-mentioned footage nowhere shows that the petitioner had caused any injury either on the person of complainant or on the person of the deceased. It was further contended by learned counsel for the petitioner that after the incident there was a large gathering on the spot and the petitioner being resident of the same village had reached the spot and therefore, his presence is visible in the CCTV footage but no activity related to offence, by the petitioner, is seen. It has also been contended by learned counsel for the petitioner that otherwise also the petitioner has already suffered a prolonged incarceration for a period of more than 11½ months, and that nothing is left to be recovered from the possession of petitioner. According to learned counsel for the petitioner, the trial is not likely to be concluded in near future and nothing is left to be recovered from the petitioner and therefore, his detention is not likely to serve any purpose.

8. Per contra, the learned State counsel has controverted the above-mentioned arguments. According to learned State counsel in the present case there are very specific allegations of mob lynching by the cow vigilants. As per the learned State counsel on the basis of CCTV footage, the petitioner has been identified, who on interrogation suffered a disclosure statement to the effect that he was involved in the above mentioned incident. While claiming that the offence committed by the petitioner is of serious nature, the learned State counsel has contended that the petitioner is not

entitled for the benefit of bail.

9. The record has been perused carefully.

10. A perusal of the record shows that in the present case there are very serious allegations against the petitioner qua the fact that on the basis of CCTV footage his presence has been found on the spot at the time of occurrence and *prima fice* the involvement of petitioner is shown to have been on the basis of disclosure statement suffered by the petitioner and his co-accused.

11. Taking into consideration the fact that the period of incarceration is not large enough to draw an inference that there is delay in trial and also the fact that there are direct allegations against the petitioner with regard to his involvement in the commission of crime, it is hereby held that at this stage, the petitioner is not entitled for the benefit of bail and the present petition being devoid of merits deserves dismissal. Hence, the present petition is hereby **dismissed**, accordingly.

12. The pending miscellaneous application(s), if any, shall stand disposed of.

(Surya Partap Singh)
Judge

February 20, 2026
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No