

Balwinder Singh vs State Of Haryana on 27 January, 2025

Author: Manjari Nehru Kaul

Bench: Manjari Nehru Kaul

Neutral Citation No:=2025:PHHC:012366

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

210

CRM-M-42553-2024

Date of decision: 27.01.2025

BALWINDER SINGH

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Rosi, Advocate, for the petitioner.

Mr.Rajat Gautam, Addl.A.G., Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition is for grant of anticipatory bail to the petitioner in case FIR No.181 dated 06.07.2024 under Sections 13(2) and 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, Section 11 of the Prevention of Cruelty Act, 1960 and Section 61 of the Bhartiya Nyaya Sanhita, 2023, registered at Police Station Sadar Tauru, District Nuh.

2. On the last date of i.e. on 31.08.2024, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

"As per the case of prosecution, a secret information was received by the police on 6.7.2024 to the effect that Salim @ Saalim, Hakam and Satbir in connivance with owner of vehicle canter bearing registration No.PB-11DD-4401 indulged in cow slaughtering and that even on the given day they were transporting the cattle to Rajasthan for the purpose of slaughtering the same. Pursuant to receipt of said information, 1 of 2 Neutral Citation No:=2025:PHHC:012366 barricading were laid and the truck in question was noticed. The said truck was signalled to stop. The

driver of the truck stopped the vehicle, but the occupants of the truck fled away from the spot. However one of the occupants namely Salim @ Saalim was apprehended by the police. A search of the truck led to recovery of 16 cows and two calves.

Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR but has been nominated as an accused being the registered owner of the truck in question. It has been submitted that the petitioner had no clue that his driver was misusing the truck and that since he was neither present at the spot nor had any knowledge about the alleged commission of offence, he deserves the concession of anticipatory bail. It has also been informed that the petitioner, who is aged about 60 years, has a clean record and is not involved in any other case."

3. Learned counsel for the petitioner submits that in compliance of order dated 31.08.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Bachhu Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 31.08.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

January 27, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No