



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-52985-2025
Decided on: 23.02.2026

SHAKIL

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

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
Shakil, aged about 37 years	104	31.03.2025	3/13(1) and 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015	Sadar Nuh	Nuh

2. On 26.09.2025, 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:-

<i>Name & age of Petitioner (s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Shakil, aged about 37 years</i>	<i>104</i>	<i>31.03.2025</i>	<i>3/13(1) and 8/13(3) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015</i>	<i>Sadar Nuh</i>	<i>Nuh</i>

2. *Learned counsel for the petitioner submits that, as per the case of prosecution, acting on the basis of secret information, police conducted a raid near the dirty drain (ganda nala) and allegedly recovered 55 kilograms of freshly slaughtered cow beef, four cow legs, an axe, a knife, a wooden block, and other slaughtering weapons. Although the petitioner's name is mentioned in the FIR as having been disclosed by the secret informant, but he was not shown to have been arrested at the spot. In this context, counsel argues that the prosecution's version, as set out in the FIR, appears to be improbable. He contends that when police act on prior secret information, it is normally expected that a full police team would conduct the raid, leaving little to no opportunity for the accused to escape. Therefore, absence of the petitioner's arrest on the spot casts doubt on the credibility of the prosecution's case.*

3. *Counsel for the petitioner further submits that just two days prior to the registration of the present FIR, another FIR, bearing No.09 dated 19.02.2025 under Section 115 of the BNS and Section 12 of the POCSO Act, was registered at the Women Police Station, Mewat, District Nuh, at the instance of petitioner's daughter against one Kurban, who is stated to be the son of Issar. Petitioner alleges that the secret informant in the present case is none other than the same 'Issar', who is inimical to the petitioner due to the earlier FIR. It is further submits that 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.*

4. *Notice of motion.*

5. *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.*



6. *Adjourned to 10.12.2025.*
7. *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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
8. *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.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 26.09.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from SI Raj Kumar, confirms the said averment made by counsel for the petitioner of joining the investigation on 08.10.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 26.09.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.



However, petitioner 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.

7. Accordingly, petition stands disposed of.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he 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.

(SANJAY VASHISTH)
JUDGE

23.02.2026

Lavisha

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