



CRM-M-54738-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

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CRM-M-54738-2025

Date of decision: 29.09.2025

Munfaid @ Munna

...Petitioner

V/s

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Nafees Ahmad Khan, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG Haryana.

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**SUMEET GOEL, J. (Oral)**

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS, 2023 in FIR No.166 dated 22.07.2025 registered for offences punishable under Sections 13(1), 13(3), 8, 3, 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act 2015 at Police Station Pinangwa, District Nuh.

2. The gravamen of the FIR reflects that on 22.07.2025, Sub Inspector Raj Kumar alongwith his team was on duty at the Bus stand, Akera, when a secret informer conveyed that certain persons namely Jakir, Farukh, Tinda @ Irfan, Mannu, Hasan, Nafish, Irfan (son of Sakeel), Wakki @ Wakil, Mubeen and Nadeem were allegedly involved in cow slaughter for the purpose of selling meat. The informer further said that the aforesaid accused were slaughtering the cows at a house situated in Kasai Mohalla, Rithat. Acting on the said information, the police party raided the location. On seeing the police, most of the accused fled from the spot, however, two individuals namely Wakki @ Wakil (son of Babuddin) and Nadeem (son of Wakil) were caught. During the search of the house of accused Wakil, the

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police recovered three motorcycles (two Apaches – one with registration No.HR-28-L-0521 and one without a number, and one HF Delux without a number), 140 kgs of freshly slaughtered beef and slaughtering instruments and tools including an electronic weighing machine, wooden logs, knives, sickles and an axe. All the items were duly seized and on the basis of this the instant FIR was registered.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further iterated that the petitioner was not arrested from the spot and name of the petitioner does not appear in the FIR nor any specific allegation has been attributed to him. According to learned counsel, the implication of the petitioner is solely on suspicion without any direct evidence linking him to the alleged offence. Learned counsel has further submitted that despite there being no direct or indirect involvement of the petitioner in the alleged occurrence, he has been roped into the present case without any credible evidence. It has been further argued that there is no need for custodial interrogation of the petitioner as nothing incriminating remains to be recovered from him. Moreover, there is no likelihood of the petitioner absconding from the process of justice or tampering with the prosecution evidence in case he is enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel (on the strength of the advance notice) has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. According to learned State counsel, the petitioner is actively involved in the



offence of cow slaughter and illegal sale of beef. Although the name of the petitioner does not figure in the FIR but during the course of the investigation, sufficient evidence has surfaced linking him with the present case. Furthermore, recovery of huge quantity of slaughtered beef, slaughtering tools and vehicles from the house of co-accused clearly shows organized activity in which the petitioner is also a participant. The gravity of the offence cannot be overlooked at this stage. Furthermore, in case the petitioner is granted the concession of pre-arrest bail, at this stage, it may impede the ongoing investigation and potentially lead to tampering with evidence or influencing of witnesses. Accordingly, a prayer has been made for the dismissal of the instant petition.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. It is not in dispute that the substantial recovery of slaughtered beef and slaughtering tools alongwith three motorcycles was effected from the premises of the co-accused. The allegations are serious in nature, pointing towards organized unlawful activity. The recovery made from the house of co-accused clearly shows the scale and magnitude of the illegal activity. The offence is alleged to be grave in nature involving issues of public order and communal harmony. The stand of the State before this Court is that the investigation conducted so far has disclosed material suggesting the involvement of the petitioner. At this stage, when the investigation is in progress and some of the co-accused are still at large, in the considered opinion of this Court, the

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grant of anticipatory bail to the petitioner would hamper the ongoing investigation. Moreover, the custodial interrogation of the petitioner may be necessary for effective completion of the investigation. The contention of the petitioner that he is not named in the FIR cannot, by itself, be a sufficient ground for the anticipatory bail, particularly when his involvement surfaced during investigation.

7. The Court cannot be oblivious to the fact that the offence of this nature affect not only the individual but also the public at large. Extending protection to such offenders at the stage of investigation could send a wrong signal to Society. The power under Section 482 of BNSS, 2023 is meant to protect innocent persons from unnecessary harassment and false implication but the same cannot be extended to those against whom there are *prima facie* serious allegations supported by material collected during investigation. Such an act not only reflects a flagrant disregard for the law but also poses a serious threat to public safety. Such offences necessitate a strong and principled judicial response to prevent their recurrence.

8. A perusal of the FIR reveals that though the name of the petitioner does not figure in the same but during the course of investigation, the investigating agency has collected ample and sufficient evidence which linked him with the commission of the offence in question. The contention of the petitioner that the petitioner is not named in the FIR, cannot by itself, be a ground for anticipatory bail, particularly when his involvement surfaced during investigation. In the considered opinion of this Court, granting anticipatory bail at this stage may likely to hamper the on-going



investigation. Moreover, no cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

*“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible*



*police officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”*

10. In view of the gravity of the allegations, the stage of the investigation, the nature of recovery as also the necessity of the custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

11. In view of the prevenient ratiocination, it is ordained thus:

- (i) The instant petition is devoid of merits and is hereby dismissed.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

**(SUMEET GOEL)**  
**JUDGE**

September 29, 2025

*Ajay*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No