

State Vs. Mukeem & Ors.

CHI-472-2026

Present: Sh. Surender, Ld. APP for the State.
Accused Ikram and Mukeem are on bail with Sh. Akhtar Hussain, Advocate.
Accused Khurshid on bail with Sh. T.H. Devla, Advocate.
Accused Imran, Waseem, Rafiq, Irfan, Rukseena, Sehnaj, Kasam, Sakir, Farukh are on bail with Mohd. Ismail, Advocate.
Accused Sabir and Unnas on bail with Sh. Akhtar Hussain, Advocate.
Accused Mustak in custody represented by Sh. Shehzad Khan, Advocate.
Accused Mustak produced before the Court through V.C.

Today the case was fixed for arguments on charge.

Perusal of the file shows that the present case has been received by this court by way of remand back in pursuance of the order dated 1.04.2026 by the Ld. ASJ/Special Court (HGS and GS Act), Nuh by holding that no prima facie case for framing charge u/s 13(1) read with Section 3 of HGS and GS Act is made out against the accused in this case.

However, as per the case file vide order dated 20.12.2024, Ld. ASJ, Nuh/Special Court has already framed charge under Sections 186, 201, 353, 120B of IPC and 3/13(1), 8/13(3) of HGS and GS Act

and 11-59-60 of Animal Cruelty Act against accused namely, Mukeem and Khurshid.

Likewise, vide order dated 06.05.2025, Ld. ASJ, Nuh/Special Court has already framed charge under Sections 186, 201, 353, 120B of IPC and 3/13(1), 8/13(3) of HGS and GS Act and 11-59-60 of Animal Cruelty Act against accused namely, Ikram son of Noorddin.

Thereafter, the supplementary challan regarding the accused Ikram son of Noorddin titled as State vs. Ikram CIS No. 115 of 2025 and State vs. Mukeem and ors bearing CIS No. SC-340-2024 were clubbed with main challan v.o.d. 18.12.2025 by the court of Ld. ASJ Nuh/ Special Court Nuh. Perusal of the supplementary challan shows that allegations of the prosecution against the co-accused are also same as were against the accused namely, Mukeem, Khurshid and Ikram against whom the charge was framed by the Ld. ASJ, Nuh vide order dated 20.12.2024 and 06.05.2025 and the FIR is also same i.e. bearing No. 100/23.03.2024 registered at PS Sadar Nuh under Sections

186, 201, 353, 120B of IPC and 3/13(1), 8/13(3) of HGS and GS Act and 11-59-60 of Animal Cruelty Act against all the accused.

However, while hearing the arguments on charge on 21.04.2026 on combined charge against all the accused and after perusing the record the hon'ble court observed that “ no such presumption that the person who is found in possession of fresh beef must have committed the slaughtering himself or through some other person. Charge Under Section 13(1) read with Section 3 of HGS and GS Act, 2015 cannot be framed on the basis of this presumption only. The accused at the best, can be tried for keeping in their possession the beef. Hence, the file be sent back to the court of Ms. Sonia Sheokand, Ld. ACJM, Nuh, Special designated court under the HGS and GS Act for trial of the accused, in accordance with law.”

Thus, it is clear that as per the order dated 21.04.2026 passed by the Ld. Special Court, the hon'ble court heard the accused on charge and gave her observation as mentioned above but, perusal of the file shows that charge against accused namely, Mukeem, Khurshid and Ikram in the above case was already framed by the Ld. ASJ, Nuh

v.o.d. 20.12.2024 and 06.05.2025 respectively, under Section 186, 201, 353, 120B of IPC and 3/13(1), 8/13(3) of HGS and GS Act and 11-59-60 of Animal Cruelty Act against and offence under Section 3/13(1) is already triable by the Ld. Sessions Court/Special Court, Nuh.

In these circumstances, the matter is referred to the Ld. Sessions Judge, Nuh for his kind information and necessary order.

Ahlmad is directed to put up the case file before the Ld. Sessions Judge, Nuh on 14.07.2026 at 10:30 AM. Parties are also directed to appear before the Ld. Sessions Judge, Nuh on the date fixed.

Accused Mustak be kept in custody and be again produced before the court of Ld. Sessions Judge, Nuh on the date fixed through VC for further order.

Date of Order:
09.07.2026
*Pooja Singhal **

(Sonia Sheokand)
Addl. Chief Judicial
Magistrate, Nuh
UID No . HR00364

(Sonia Sheokand)
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