

**IN THE COURT OF MOHIT AGGARWAL,  
ADDITIONAL SESSIONS JUDGE, MEWAT (UID-HR-0226)**

Registration No. : BA/1237/2020.  
CNR No. : HRNU01-002448-2020  
Date of Institution : 17.6.2020.  
Date of Order : 23.6.2020.

Aasif, aged about 30 years, son of Babuddin, resident of village Jamalgarh, Police Station Punhana, District Nuh.

.....Petitioner-accused.

Versus

State of Haryana.

..... Respondent.

FIR No. 200 dated 10.6.2020.  
U/Ss. 3/13(1), 8/13(3), 17 of HGS & GS  
Act and 188 I.P.C.,  
Police Station Punhana.

**Application under Section 438 of the Code of  
Criminal Procedure, 1973 for Anticipatory Bail**

Present: Shri T.H. Rupariya, counsel for the petitioner-accused.  
Shri Pratap Singh, Public Prosecutor for respondent-State.

**ORDER :**

This order shall dispose of an application under Section 438 of the Code of Criminal Procedure moved by petitioner-accused Aasif.

2. F.I.R No. 200, under sections 3/13(1), 8/13(3), 17 of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and 188 IPC, was registered at P.S. Punhana, on 10.6.2020 on the complaint of SI Kanwar Pal.

3. In the bail application, it is stated that petitioner-accused was innocent and had been falsely implicated in the present case. It is further stated no recovery has to be effected from the petitioner-accused and

custodial interrogation of petitioner-accused is not required. Petitioner-accused has undertaken to abide by all the terms and conditions to be imposed upon him by the Court.

4. In reply, it is stated that a total number of 2572 cow skins were recovered from vehicle No. RJ-02GA-9914 and the godowns owned by the petitioner-accused and co-accused which were to be sold in Delhi and Hapur. It was stated that some of the cow skins were of the cows that had been freshly slaughtered. It was further submitted that the petitioner-accused was identified by the secret informer while fleeing from the spot and as such the bail application be dismissed.

5. I have heard Shri T.H. Rupariya, learned counsel for the petitioner-accused and Shri Pratap Singh, learned Public Prosecutor for the respondent-State and have also gone through the case file very carefully.

6. As per allegations, the police had received information that nine persons namely Ninna @ Nijam, Farukh, Hashim, Deenu, Alli, Ashif, Nijam, Mustakim and Niyaju were involved in cow slaughtering and after slaughtering the cows, sell the beef and cow skins somewhere in Delhi and Hapur. Further information was received to the effect that the cow skins were being loaded in the TATA-407 vehicle belonging to Aashif son of Babuddin (petitioner-accused) and that all the accused could be apprehended if a raid was conducted at the spot. The police accordingly raided the said place but on seeing the police party, the accused fled from the spot. The secret informer, however, identified the

fleeing persons including the petitioner-accused. A total number of 2572 cow skins were recovered by the police from the TATA-407 vehicle as well as the godowns owned by the accused. During investigation of this case, four motorcycles were also taken into possession by the police under Section 102 Cr.P.C. Petitioner-accused had managed to flee but he was identified by the secret informer while fleeing from the spot. The allegations against the petitioner-accused are serious in nature. His custodial interrogation is definitely required by the police. Such people need to be dealt with a strict hand in order to maintain law and order in the society. There is an apprehension that if released on bail, petitioner-accused may commit a similar offence or may abscond. In the given circumstances, there is no justified ground to allow the concession of anticipatory bail to the petitioner-accused at this stage. Without commenting anything on the merits of the case, the bail application U/s 438 Cr.P.C. moved by petitioner-accused is dismissed. File be consigned to record room after due compliance.

Dated: 23.6.2020.  
Announced in open Court.

(Mohit Aggarwal)  
Additional Sessions Judge,  
Nuh, 23.6.2020.  
(UID-HR-0226)

Note: This order consists of 03 pages and each page has been checked and signed by me.

(Mohit Aggarwal)  
Additional Sessions Judge,  
Nuh, 23.6.2020.  
(UID No. HR-0226)

(Anand Mishra, Steno-II)

Present: Shri T.H. Rupariya, counsel for the petitioner-accused.  
Shri Pratap Singh, Public Prosecutor for respondent-State.

Reply to bail application has been filed by the prosecution.  
Arguments heard. Now, to come up after some time for order.

(Mohit Aggarwal)  
Additional Sessions Judge,  
Nuh, 23.6.2020.  
(UID No. HR-0226)

Date of Order: 23.6.2020.  
(Anand Mishra, Steno-II).

Present: Shri T.H. Rupariya, counsel for the petitioner-accused.  
Shri Pratap Singh, Public Prosecutor for respondent-State.

Vide separate detailed order of even date, the bail application under Section 438 Cr.P.C. moved on behalf of the petitioner-accused is dismissed. File be consigned to record room after due compliance.

Dated: 23.6.2020.  
Announced in open Court.

(Mohit Aggarwal)  
Additional Sessions Judge,  
Nuh, 23.6.2020.  
(UID-HR-0226)

(Anand Mishra, Steno-II).