

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

**CRM-M-23266 of 2015**

**Date of decision: July 23, 2015**

**Balbir Singh and another**

**....Petitioners**

**Versus**

**State of Haryana**

**....Respondent**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Sat Narain Yadav, Advocate  
for the petitioners.

Mr. Rohit Arya, AAG, Haryana  
for the respondent-State.

**JASPAL SINGH, J.**

This petition has been preferred under Section 439 of Cr.P.C. by Balbir and Saddam Hussain seeking regular bail, during the pendency of the trial, in case FIR No.728 dated 31.12.2014, under Sections 295, 420, 467, 468 and 11, 59, 60 of Prevention of Cruelty Act and 4A/8, 2/80 Punjab Cow Slaughter Act registered at Police Station Dharuhera, District Rewari.

The instant case was registered on the basis of a secret information to the effect that a truck bearing registration No.RJ-03GA-1015 is illegally carrying cow and other calves for the purpose of slaughtering and can be intercepted on National Highway-8. Accordingly, police had laid barricade on Sohna T-Point at Bhagat Singh Chowk, Dharuhera. In the meantime, a truck unfolded by the secret informant came there. On seeing police party, driver of the truck managed to stop it at a distance of about 100/150 yards and fled away. A search of the truck revealed that it contain 10 cows, 8 calves male and 8 calves female. The said animals were being carried after tying their mouth and legs with rope. It also

came to light that vehicle was having number plate with letter No.RJ03-GA-1015, whereas, the document being carried in it i.e. insurance cover note, agreement of sale and General Power of Attorney were bearing No.RJ02GA-1099. Subsequently, the owner as well as conductor of truck in question were named in this case and were arrested on March 23, 2015. They were subjected to custodial interrogation and subsequently, remanded to judicial custody. Since the date of their arrest, they are suffering incarceration. Investigation is complete in this case and challan has already been presented. Even the charges have also been framed. The cattle-heads recovered from the truck were sent to gowshala where they are being locked up. The driver of the truck has since been declared Proclaimed Offender who can be termed to be the main culprit. The disposal of the challan is not likely in the near future. The allegations against the present petitioners are still to be established by the prosecution by leading cogent and convincing evidence and it would not be desirable to keep them behind the bars for an indefinite period.

In the light of what has been discussed above, this Court finds it a fit case to extend the concession of bail. Accordingly, petition is allowed and petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds at the satisfaction of concerned trial Court/Duty Magistrate.

However, any observation made in this order shall have no bearing on the merits of the main case.

**July 23, 2015**  
*m. sharma*

**(JASPAL SINGH)**  
**JUDGE**