

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.16130 of 2016

Date of Decision:-26.05.2016

Kamender & Anr.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jagjit Gill, Advocate for the Petitioners.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
assisted by ASI Chander Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioners, namely, Kamender and Badal in case FIR No.22 dated 23.03.2016 for offences punishable under Sections 11/59/1960 Animal Cruelty Act and Section 13 of Haryana Gou Sarankshan And Gou Sanwardhan Act, 2015 registered with Police Station Odhan, District Sirsa.

On secret information the police party on 23.03.2016 intercepted a Canter truck being driven by accused Kamender with cleaner accused Badal transporting 08 cows, one Buffalo, 02 Cow Calf and one Buffalo Calf without any permit.

The allegation is that they were being transported from Ganganagar (Rajasthan) to Meerut (UP) for Slaughtering.

It is contended that the petitioners are a mere driver and cleaner of the truck and both the seized cows etc., and the truck have been released on spurdari to the respective owners. Petitioners are stated to be in custody since 23.03.2016 and after completion of investigation challan stands presented on 10.05.2016. It is further submitted that evidence of 09 cited prosecution witnesses is yet to commence.

Learned State Counsel assisted by ASI Chander Singh does not refute the aforesaid factual position submitted on behalf of the petitioners.

Without commenting on the merits of the case, keeping in view the custody period and that the trial is not likely to be concluded in near future, present petition is allowed and the petitioners, namely, Kamender and Badal are ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Sirsa.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 26, 2016
Vinay