

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4591 of 2015 (O/M)

Date of decision : 29.1.2016

Yasin and others

..... Revisionists

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Partap Singh, Advocate, for the revisionists.

Mr. Parveen Aggarwal, Deputy A.G. Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Heard.

The petitioners were found carrying 32 buffaloes and 2 calves in a truck in a jam packed condition. The animals were loaded after dividing the truck into two parts within the wooden planks. On receiving the secret information that one truck bearing No. UK07CA/0053 is coming from the side of Barwala after loading buffaloes in a jam packed condition and that buffaloes are being taken for slaughtering, the police stopped the truck. One of the buffaloes was found dead. As per the medical report, the buffalo died due to heat stroke. The heat stroke was caused due to jam packing of the animals in the truck. Therefore, the revisionists were responsible for the death of the animal.

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In these circumstances, the revisionists were convicted for the commission of offence punishable under Section 429 IPC and were sentenced to undergo simple imprisonment for one year each and fine of Rs. 500/- each. They were also convicted for the commission of offence punishable under Section 11 of Prevention of Cruelty to Animals Act, 1960 and were ordered to pay fine of Rs. 50/- each, in default thereof, to further undergo simple imprisonment for one month each.

Learned counsel for the revisionists has prayed for reduction in the sentence.

Custody certificate filed in Court today, which is taken on record.

The perusal of the custody certificate shows that the revisionists have undergone three months and two days of actual sentence. However, keeping in view the facts and circumstances and the nature of the crime, this Court is not inclined to reduce the sentence. Hence, the revision is dismissed.

(KULDIP SINGH)
JUDGE

29.1.2016
sjks