

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

**CRM-M-30205-2017  
Date of decision :13.10.2017**

Pappu and another

..... Petitioners

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MR.JUSTICE H.S. MADAAN**

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Present : Mr. Shalender Mohan, Advocate  
for the petitioners.

Mr. Gaurav Bansal, AAG, Haryana.

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**H.S. MADAAN, J. (Oral)**

This petition for grant of regular bail on behalf of the petitioners has been filed in criminal case bearing FIR No.21 dated 13.02.2017 under Sections 3, 5, 13(1), 13(2), 3 of Haryana Gauvansh Sanrakshan Act, 2015 and under Section 11 of Animal Cruelty Act, Police Station Ding, Sirsa, Haryana.

Briefly stated facts as per prosecution version are that information was received by the police that a container of red colour carrying cows and bulls was being taken to Uttar Pradesh for the purpose of slaughtering. A picket was laid and a container was spotted coming from

Sirsa side which was signalled to stop but driver tried to speed it away and then left it and ran away towards the fields. The container was found to have 23 bulls, leg of one bull was broken and remaining 23 bulls were in bad conditions. Those were taken into possession and left in Gaushala. Formal FIR in the matter was registered. Accused were arrested in this case. After completion of investigation and other formalities they were challaned. Presently challan is pending before Additional Sessions Judge, Sirsa.

I have heard learned counsel for the parties, besides, going through the record.

Learned counsel for the petitioners states that the petitioners are innocent and have nothing to do with the incident. They are in custody for more than 7 months. The trial is at preliminary stage and its conclusion is likely to take considerable time. He further contended that none of the petitioners is named in the FIR and as per contents of the FIR only driver whose identity could not be known had run away from the spot whereas there is no mention of some other person being present there, as such, he has prayed for grant of regular bail. This request is being opposed by State counsel contending that the petitioners are Butchers and were engaged in heinous crime of slaughtering of cows / bulls, therefore, they should not be granted concession of bail.

After hearing rival contentions and without going into the merits of the case I find that since the petitioners are behind bars for more than 7 months, the trial is at preliminary stage and its conclusion is likely to take sufficient time, I am of the view that it would be proper and appropriate

if the concession of regular bail is granted to the petitioners. Therefore, in view of the abovesaid circumstances, this petition is accepted. Petitioners- Pappu and Fayaz be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court at Sirsa / Duty Magistrate.

While accepting the bonds, the trial Court may impose any terms and conditions found appropriate to ensure that the petitioners should not abscond. Their passport may also be got surrendered, if they have got one, otherwise to get affidavit from them that they do not have any passport. It is made clear that if after being released on bail in this case, the petitioners are found indulging in any other criminal activity, the order suspending them sentence and grant of bail shall be liable to be withdrawn.

**31.07.2017***Gaurav Sorot*

**( H.S. MADAAN )  
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**