

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

CRM-M No.7696 of 2017
Date of decision: 10th March, 2017

Sushil @ Kalu and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. P.S. Jammu, Advocate for the petitioners.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioners Sushil @ Kalu and Vikram @ Vicky in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.437 dated 22.12.2016 registered at Police Station Rania, District Sirsa under Sections 3, 5, 13, 17 of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 429 IPC, are that on 22.12.2016 four cows, three calves and two bulls were found in an injured state on the main highway and it is subsequently statements of the residents of the village were recorded whereby allegations have been levelled against the petitioners that they were instrumental in throwing these animals after loading them on the tanker to save their crops.

Contentions of the learned counsel for the petitioners are that there is no eye-witness to this occurrence nor any specific role has been

attributed to the petitioners and the mere fact that after a long period of time belatedly recording of the statements of certain persons does not legitimately implicate the petitioners.

The factual scenario could not be displaced by learned State counsel who though has stoutly opposed grant of bail to the petitioners harbouring around the element of cruelty to sacred animals.

Keeping in view the contentions of the two sides, the fact that it is the own stand of the State that there is no direct evidence against the petitioners except the statements that have been belatedly recorded and that nothing has been recovered from the petitioners, impels this Court to allow the prayer. Accordingly, the petitioners are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sirsa.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 10, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No