

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-8544 of 2017

Date of decision : March 21, 2017

Jagdish and others

....Petitioners

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr.KS Godara, Advocate, for the petitioners
Mr. Pardeep Sharma, AAG, Haryana for the respondent-State

Fateh Deep Singh, J. (Oral)

The allegations against petitioners Jagdish, Arjun alias Ujriya and Nimba Ram in this regular bail application under section 439 Cr.P.C. are that the present case was got registered after the police came across that four cows, three calves and two bulls in injured state were lying on the highway and subsequently, statements of some villagers were recorded leading to arrest of the petitioners for having caused cruelty to the animals.

The contentions of the counsel for the petitioners are that similarly placed co-accused Sushil @ Kalu and Vikram @ Vicky have been allowed regular bail vide orders dated 10.3.2017 and the case of the present petitioners is not distinguishable from that of co-accused though on behalf of the State the same is forcefully opposed on the averments that the petitioners have caused cruelty to animals and thus are not entitled to bail.

Appreciating the submissions, in view of principle of parity and

that it is the stand of the State in itself that there is no direct evidence to connect the petitioners and it is only on the belated statements of some villagers, the accused have been arrested and that nothing has been recovered from them, 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.

March 21, 2017
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No