

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR 3536-2017 (O&M)
Date of decision: 12.10.2017

Aabid and another

.....Petitioners

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.G.C.Shahpuri, Advocate for the petitioners
Mr.Pawan Garg, Assistant Advocate General, Haryana

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Heard on quantum of sentence only.

Petitioners were convicted under Section 4B/8 of Punjab Prohibition of Cow Slaughter Act, 1955 by the learned Judicial Magistrate First Class, Yamuna Nagar at Jagadhri vide judgment of conviction 12.11.2014 and order of sentence dated 14.11.2014 and sentenced to Rigorous Imprisonment for three years and to pay a fine of Rs. 5000/- each. They were also sentenced to fine of Rs.50/- each under Section 11 of Prevention of Cruelty against Animals Act. In appeal, sentence awarded under Section 4B/8 of Punjab Prohibition of Cow Slaughter Act, 1955 (as applicable to Haryana) was reduced to Rigorous Imprisonment for one year however, sentence of fine was maintained. With the said modification, appeal was dismissed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri vide judgment dated 6.9.2017.

Learned counsel for the petitioner presses the petition only on the point of quantum of sentence. It is stated that the petitioners failed to obtain permission for transporting the cows under Section 4B of Punjab Prohibition of Cow Slaughter Act, 1955 (as applicable to Haryana). Maximum sentence provided for offence under Section 8 of the said act is 5 years which has already been reduced to one year. As per Custody certificate the petitioners are not the previous convicts nor any other case is pending against them.

Considering the facts and circumstances of the case, sentence of Rigorous Imprisonment for one year awarded under Section 4B/8 of the said Act, is hereby reduced to Rigorous Imprisonment for nine months.

With the above noted modification, the revision petition is dismissed.

12.10.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No