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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REF. 3/2017**

COURT ON ITS OWN MOTION

..... Petitioner

Through: Mr.Dayan Krishnan, Sr. Adv.
(Amicus Curiae) with Mr.Sidharth
Agarwal, Adv. (Amicus Curiae) with
Mr.Narendar Mann, Ms.Aakashi
Lodha, Ms.Jhanvi Dubey, Ms.Stuti
Gujral, Mr.Ritwick Shrivastava and
Mr.Sanjeevi Seshadri, Advs.

versus

STATE

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
(Criminal) with Mr.Tushar Sannu,
Mr.Prashant Singh and Mr.Chaitanya
Gosain, Advs. for State
Ms.Kusum Dhalla, APP for State

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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30.10.2017

1. This reference under Section 395 Cr.P.C. has been sent by the learned M.M. (East), regarding the constitutional validity of the Delhi Agricultural (Cattle Prevention) Act, 1994 (DACP Act).

2. From a reading of the referral order passed by the learned MM, it is not clear if any of the parties in the matter pending before that Court, raised such a question. Be that as it may, Mr. Dayan Krishnan, learned Senior counsel,

appointed as Amicus Curiae, informs the Court that the very question regarding the validity of the DACP Act is pending before the Division Bench No.1 of this Court in W.P.(C) No. 3868/2016 “Gaurav Jain & Ors. v. Director, Dept. of Animal Husbandry, Govt. Of Delhi & Ors.”

3. Therefore, this Court declines to answer the reference, since another Bench is already seized of the same question. The reference is accordingly returned unanswered. The file be closed.

S.MURALIDHAR, J

I.S.MEHTA, J

OCTOBER 30, 2017
sr/dc