

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

205

(I) **CRM-M-4542-2020**

Loveleen Kaur ...Petitioner

Versus

State of Punjab ...Respondent

(II) **CRM-M-4992-2020**

Mandeep Singh and another ...Petitioners

Versus

State of Punjab ...Respondent

Date of Decision: 01.09.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Nitin Mittoo, Advocate,
for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Harjinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of aforementioned two petitions i.e. CRM-M-4542-2020 filed on behalf of Loveleen Kaur and CRM-M-4992-2020 filed on behalf of Mandeep Singh & Balbir Kaur, seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.182 dated 27.11.2019 at Police Station

Satnampura, Phagwara, District Kapurthala, under Sections 323/341/295/506/34 IPC.

2. The FIR in question was lodged at the instance of Balvir Kaur, wherein it is alleged that Mandeep Singh has kept 8/9 stray dogs, who often mess up in the street and that although the complainant and other inhabitants of the village had lodged complaints with the aforesaid Mandeep Singh, but to no avail. It is alleged that the said stray dogs had also destroyed garlic plants of the complainant. It is alleged that on 24.11.2019, Balbir Kaur wife of Mandeep Singh and Loveleen Kaur daughter of Mandeep Singh came outside the complainant's house and man-handled her and also pulled her hair and hurt her religious sentiments and gave beatings to her.
3. Learned counsel for the petitioners has submitted that the matter in fact arises out of a small issue in the locality pertaining to stray dogs. It has been submitted that while the petitioners and their family had a soft corner for the animals, the complainant was all out against the stray dogs. It has further been submitted that in any case even as per the allegations it is a case of causing simple injury and that the allegations pertaining to pulling hair or hurting religious feelings have all been cooked up falsely.
4. Learned counsel for the petitioners has further submitted that the petitioners themselves want that the stray dogs should be kept at some safe place away from the residential area and have no objection for the same. It has been submitted that the petitioners

have in fact themselves written to the authorities concerned for the said purpose and that their only interest is that the stray dogs should not die of hunger or be ill treated in any manner.

5. Opposing the petition, learned State counsel has submitted that in view of the allegations levelled in the FIR, no case for grant of bail is made out. Learned State counsel has, however, submitted that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation.
6. I have considered rival submissions addressed before this Court.
7. Having regard to the nature of allegations, this Court does not find it to be a case warranting custodial interrogation. Both the petitions, as such, are accepted and the interim directions issued by this Court vide order/s dated 03.02.2020 in CRM-M-4542-2020 and 04.02.2020 in CRM-M-4992-2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
8. It is, however, directed that the petitioners shall remain in touch with the authorities concerned including the Municipal Authorities for the purpose of shifting the stray dogs to some nominated place so that they do not pose any threat to the safety or property of the inhabitants of the locality. The petitioners are further directed that

they shall not feed the said stray dogs in the residential locality, as the same would encourage the stray dogs to roam around in the residential area. However, till any adequate arrangement is made by the Municipal Authorities for shifting the stray dogs to some dog home and/or any other arrangement is made, the petitioners may feed the dogs at a safe place, which is far from the residential locality.

01.09.2021

VY/Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No