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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29345 of 2021 (O&M)

Date of decision: 30.07.2021

Robin

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tara Chand Dhanwal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.0147 dated 24.06.2021, for offence punishable under Sections 279/336 of the Indian Penal Code, 1860 (in short 'IPC'), 11 of the Prevention of Cruelty to Animals Act, 1960 and 13(1) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, registered at Police Station Dadri Sadar, District Charkhi Dadri.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered on the complaint given by one Dharmender, it is stated that he came to know that one Ravi is indulged in cow slaughtering and he sent the cows in a pick-up vehicle from Haryana to Uttar Pradesh and on the date of incident, he has sent 02 cows and a calf in the said vehicle to Uttar Pradesh. On receiving the information, the police party reached in the village Rawaldhi where a driver was seen coming driving the said car in a rash and negligent

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manner and on suspicion, he was asked to stop his vehicle but he did not stop the same and thereafter, the police followed him and stopped the said car.

Counsel for the petitioner has further submitted that the petitioner is not involved in any other case and he is the first offender. It is also argued that in fact the petitioner is in the business of purchasing mil cattle and he has purchased the same from one Naresh. Counsel for the petitioner has relied upon a receipt in which it is stated that on 10.06.2021, he has sold a cow and a calf to the petitioner – Robin for Rs.8500/-. It is further argued that there is no evidence that the cows were being transported for the purpose of slaughter and they were being transported for the purpose of selling them as a milk cattle/animals.

Lastly, it is argued that the investigation is complete and the petitioner is no more required for further investigation and he is in custody for the last 01 month.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 month; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

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However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)
JUDGE**

30.07.2021
yakub

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