IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(206) **CRM-M-42164-2021**
Date of Decision : October 12, 2021

Naushad **.. Petitioner**

Versus

State of Haryana **.. Respondent**

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ketan Antil, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.503 dated 06.07.2021 registered under Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 13 (1) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 at Police Station Kharkhoda, District Sonipat, Haryana.

Learned counsel for the petitioner submits that the petitioner has been involved in the present case only on the ground that the petitioner is alleged to be the driver of the Bolero jeep, which had met with an accident with the animals therein. Learned counsel for the petitioner further submits that even if it is assumed for the sake of arguments that the petitioner was driving the said vehicle but there is nothing, which has come

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on record that the animals were being taken in the vehicle for the purpose of slaughtering so as to violate the provisions of the Prevention of Cruelty to Animals Act, 1960. Learned counsel for the petitioner further submits that as the charges have been framed and the trial is likely to take some time before it concludes, the petitioner be granted the benefit of regular bail.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the petitioner's name cropped up during the investigatgion as the owner of the Bolero vehicle named the petitioner as the driver, who had taken the said Bolero vehicle on rent from the owner. Learned counsel for the respondent-State further submits that the evidence whether the animals were being taken for the purpose of slaughtering will come in the evidence during the trial.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances noticed hereinbefore, as the charges have already been framed and the trial is likely to take some time before it concludes, no useful purpose will be served in keeping the petitioner behind the bars especially when the petitioner has undertaken before this Court that in case, he is extended the benefit of regular bail, he will not influence the trial or witnesses in any manner.

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In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 12, 2021 **(HARSIMRAN SINGH SETHI)**
harsha **JUDGE**

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

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