

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of Decision: 05.04.2022
CRM-M No.423 of 2022 (O&M)

Alijan and Another

..... Petitioners

V/s.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. V.B. Godara, Advocate
 for the petitioners.

Ms. Dimple Jain, AAG, Haryana.

Avneesh Jhingan, J. (Oral)

The prayer is for grant of regular bail in case of FIR No.387 dated 31.10.2021 under Sections 13(1), 13(2), 17(1) of Gau Sanrakshan & Gau Gausamvardhan Act, 2015 and 11/59/60 of Animal Cruelty Act, 1960 registered at Police Station Sadar Fatehabad, District Fatehabad.

As per the case setup, on 30.10.2021, police received a secret information that a truck bearing registration No. UP-12AT-1916 was transporting *gauvansh* for slaughtering. Acting upon the information, the truck was stopped and 12 oxen were found loaded. The petitioners were apprehended at the spot.

Learned counsel for the petitioners submits that the petitioners are in custody since 13.10.2021. The investigation is complete and the challan stands presented. The petitioners have no criminal antecedents. It is also submitted that the co-accused namely, Ahasan was granted anticipatory bail by this Court. Contention is that it is a case of false implication and they were merely transporting the oxen from one place to another.

Learned State counsel relies upon the pleadings made in the reply filed.

Without commenting upon the merits of the case, considering that the investigation is complete, no recovery is to be made and the petitioners are having no criminal antecedents, the co-accused namely, Ahasan was granted anticipatory bail by this Court and though the challan stands presented but the conclusion of the trial is likely to take time, the petitioners are granted bail, subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

5th April, 2022

Sonia Puri

(AVNEESH JHINGAN)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/ No