

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

CRM-M-13379-2022 (O&M)

Date of decision: 17.05.2022

Talim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mahender Singh Chahal, Advocate for
Mr. Ankur Lal, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.278 dated 18.07.2021, registered at Police Station Ferozepur Jhirka, District Nuh, Haryana, under Sections 5/13(2), 17 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act; Section 11-59- 60 of Animal Cruelty Act and Sections 427, 429, 120-B IPC.

Learned counsel for the petitioner submits that though the petitioner has specifically been named in the FIR, yet the fact remains that the cattle were being carried from Rajasthan and there being no export of cows from Haryana, the provisions of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 (for short 'the Act'), would not be attracted in the present case. It is further submitted that co-accused, namely, Mosam, has already been granted the concession of anticipatory bail by this Court on 03.09.2021.

On the other hand, learned State counsel while controverting the submissions made by the learned counsel for the petitioner, submits that the

allegations against the petitioner are very serious and he along with co-accused was transporting the cows to Haryana for the purpose of slaughtering.

I have heard the learned counsel for the parties and have also gone through the paper-book.

As per the case of the prosecution, the petitioner and co-accused were travelling in a Canter bearing Registration No. HR-74-8342 along with 20 live cattle heads and as per the statement of co-accused Mannan, the cattle were being transported from the State of Rajasthan to the State of Haryana. Even as per the report of Veterinary Surgeon, filed along with the status report, four cows died due to strangulation of neck by rope.

The submission of the learned counsel for the petitioner that transportation of the cows from Rajasthan to Haryana, would not attract the provisions of the Act, is without any merit. When the export of cows from the State of Haryana is prohibited, then import of the same from the other State(s), without any valid permission, would also stand on the same footing. Moreover, as per the report of the Veterinary Surgeon, four cows were found dead and thus, the provisions of Animal Cruelty Act, are also attracted.

In view of the above, no case is made out to grant the concession of anticipatory bail to the petitioner.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

17.05.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No