



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

210

CRM-M-1285-2025
Decided on : 17.01.2025

Ram Swaroop

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ram Avtar Sheoran, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana
assisted by ASI Rajesh.

SANJAY VASHISTH, J. (Oral)

1. Instant petition has been filed under Section 483 of BNSS, 2023, by the petitioner – Ram Sawroop, for seeking regular bail, who has been booked for having committed the offences punishable under Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 13(2) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 (Section 3/181 and 32/192(1) of Motor Vehicle Act, 1988 added later on), in case FIR No. 357, dated 07.10.2024, registered at Police Station hansi Sadar, District Hansi, during the pendency of trial.

2. Learned counsel for the petitioner contends that the allegations against the petitioner is that he was driving the truck bearing registration No. HR65-A-8750, in which seven cows and six bulls were loaded for the purpose of transportation. The said animals were being transported from Dabwali (Distt. Sirsa) to Hansi (Distt. Hisar).

3. Learned counsel argues that mere transportation of the animals



from one place to the another cannot be termed as an offence under the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015. However, he does not dispute, at this stage, the applicability of the provision of the Statute i.e. Prevention of Cruelty to Animals Act, 1960 in the facts and circumstances of the allegations.

Learned counsel further submits that the recovery of the animals and vehicle has already been effected, therefore, further custody of the petitioner would not serve any fruitful purpose for the prosecution. Besides, learned counsel refers to the disclosure statement of the petitioner and submits that same is not admissible in law, as the recoveries have already been effected.

4. On the other hand, learned State counsel while vehemently opposing the prayer of the petitioner, contends that a serious offence has been committed by the petitioner, which hurts the sentiments of the citizens of our country. In fact, such kind of accused are to be dealt with heavy hands.

However, learned State counsel does not dispute that the petitioner is not involved in any other similar activities, and informs that after completion of investigation, final report under Section 173 Cr.P.C. has already been submitted. However, charges are yet to be framed.

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

6. In view of the facts and circumstances of the case, I am of the view that the alleged offences are triable by the Court of learned Magistrate and charges are yet to be framed. Even the process of recording evidence and its conclusion is likely to take considerable time, therefore, petitioner



cannot be kept inside jail for an indefinite period.

7. Consequently, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to her furnishing
bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial
Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in
any other case.

8. Needless to observe that the petitioner shall not extend any
threat and shall not influence any prosecution witness in any manner directly
or indirectly.

9. The observation made here-in-above shall not be construed as
an expression of opinion on the facts of the case and the Trial Court is
expected to decide the case on the basis of complete evidence available on
record.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 17, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No