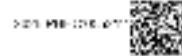


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CRM-M-13554-2026

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

CRM-M-13554-2026

Date of decision: 09.04.2026

AAFTAB

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Naveen Siwach, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.427 dated 28.12.2025 registered under Section 281 of BNS, 2023 & Section 13(1) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and under section of 11(1)(d) of Prevention of Cruelty to Animal Act, 1960 at Police Station City Kaithal, District Kaithal.

2. Brief facts of the present case, as per the prosecution, are that a cow protection team had intercepted a vehicle illegally transporting cattle for slaughter. Upon reaching the spot, two oxen and 4 cows were found crammed tightly into the vehicle. The petitioner, along with the co-accused were apprehended at the spot. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He argued that police has

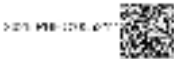


concocted a false story and lodged the present FIR. No recovery is to be effected from the petitioner. He submits that the petitioner is in custody since 28.12.2025. The investigation in the case is complete; challan has been presented; however, charges have not yet been framed. He further submits that trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the status report and custody certificate of the petitioner, which are taken on record. She has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature.

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 03 months; investigation in the case is complete; challan has been presented; however, charges have not yet been framed; and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to



of Constitution of India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

09.04.2026
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(RUPINDERJIT CHAHAL)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |