



2026:UHC:4725

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p data-bbox="691 376 991 405"><u>WPCRL/1104/2026</u></p> <p data-bbox="691 450 1166 488"><u>Hon'ble Alok Mahra, J.</u></p> <p data-bbox="691 504 1509 589">Mr. Mohd. Safdar, learned counsel for the petitioner.</p> <p data-bbox="691 611 1509 741">2. Mr. Prabhat Kandpal, learned A.G.A. along with Mr. Manoj Bhatt, learned Brief Holder for the State.</p> <p data-bbox="691 763 1509 1576">3. By means of the present criminal writ petition filed under Article 226 of the Constitution of India, the petitioner has prayed for issuance of a writ, order or direction in the nature of certiorari quashing the impugned First Information Report dated 27.05.2026, registered as Case Crime No. 134 of 2026, under Section 3 read with Section 11 of the Prevention of Cruelty to Animals Act, 1960, at Police Station Bahadradabad, District Haridwar. A further prayer has been made for issuance of a writ, order or direction in the nature of mandamus restraining the respondents from arresting the petitioner in connection with the aforesaid case during the pendency of the present writ petition.</p> <p data-bbox="691 1599 1509 2116">4. Learned counsel for the petitioner would submit that the impugned F.I.R. has been lodged on the allegation that the police received information regarding transportation of two bulls/oxen in a pickup vehicle; that, acting upon the said information, the police intercepted the vehicle and found two oxen being transported therein. It is alleged that the animals had been tied with ropes around their legs and mouths and had sustained injuries. Upon inquiry, the petitioner and</p>



another person were stated to be involved in the transportation of the said animals.

5. Learned counsel for the petitioner would further submit that the petitioner is innocent and has been falsely implicated in the present case; that, the petitioner was not apprehended at the spot and has no concern whatsoever with the transportation of the animals in question; that, the petitioner has been implicated without any credible material connecting him with the alleged offence.

6. It is further submitted that even if the allegations contained in the impugned F.I.R. are accepted in their entirety, the offences alleged are punishable under the provisions of the Prevention of Cruelty to Animals Act, 1960 and do not entail imprisonment exceeding seven years. Learned counsel submits that the petitioner is ready and willing to cooperate with the investigation and shall appear before the Investigating Officer as and when required.

7. Learned counsel for the petitioners, placing reliance upon the judgment of the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, submits that the offences alleged in the impugned F.I.R. are punishable with imprisonment which does not exceed seven years. Learned counsel for the petitioner, therefore, prays that the present criminal writ petition be disposed of in terms of the law laid down by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*, with a direction to the respondent authorities to comply with the statutory safeguards governing arrest and investigation.

8. Learned State Counsel opposes the writ petition. However, he does not dispute the



fact that the offences alleged in the impugned F.I.R. are punishable with imprisonment which does not exceed seven years.

9. Having heard learned counsel for the parties and upon perusal of the material brought on record, this Court is not inclined to enter into the merits of the allegations at this stage. However, it is not disputed that the offences alleged against the petitioner are punishable with imprisonment not exceeding seven years.

10. Without expressing any opinion on the merits of the case, the present writ petition is disposed of with a direction that the Investigating Officer shall proceed with the investigation strictly in accordance with law as well as the guidelines and directions issued by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273, before effecting the arrest of the petitioner

11. It is clarified that in the event the Investigating Officer forms an opinion that arrest of the petitioner is necessary, the statutory requirements prescribed under law shall be complied with in letter and spirit.

12. With the aforesaid observations, the writ petition stands disposed of.

(Alok Mahra, J.)

12.06.2026