

(2014) 09 SHI CK 0118

In the High Court Of Himachal Pradesh

Case No : C.W.P No. 9257 of 2011 and C.W.P. Nos. 4499 and 5076 of 2012

X

APPELLANT

Vs

Y

RESPONDENT

Date of Decision : 01-09-2014

Acts Referred:

Citation : (2014) 4 RCR(Civil) 265 : (2014) 4 RCR(Criminal) 137

Hon'ble Judges : Sureshwar Thakur, J;Rajiv Sharma, J

Bench : Division Bench

Advocate : Shivank Singh Panta, Advocate Vice Counsel and Inder Sharma, Advocate for the Appellant; M.A. Khan and Anup Rattan, Addl. A.Gs., Seema Guleria and Y.K. Thakur, Advocate for the Respondent

Judgement

1. We have gone through the pleadings carefully. A question of great public importance has been raised in these petitions.

2. A startling revelation has been made the manner in which thousands of animals are sacrificed every year in the name of religious worship. Sacrifice causes immense pain and suffering to the innocent animals. The innocent animals cannot be permitted to be sacrificed to appease the God/deity in a barbaric manner. Compassion is basic tenets in all the religions. The practice of animal sacrifice is a social evil and is required to be curbed.

3. We have also gone through the photographs placed on record the manner in which animal sacrifice is executed in the name of religion.

4. According to the reply filed on behalf of respondents No. 1 to 5 in CWP No. 5076/2012, in some temples of Nirmand and Anni area of Kullu District, animal sacrifice is performed. In district Mandi, the devotees on the eve of Ashtmi and other religious occasion in the temples, i.e. God Dev, Kamru Nag, Kamaksha and other temples sacrifice goats. In some temples in the jurisdiction of Police Stations, Rampur, Rohru, Kotkhair, Jhakri and Chirgaon sheep and goats are offered to the Devta by the people of local villages. In Shillai area of District

Sirmaur, goats and sheep are slaughtered during festival season.

5. It is in grey area whether the animals sacrifice can be termed as religious practice or not. The faith, ritualistic worship and its continuation must change in modern era. People are required to be sensitized on this issue by the State Government.

6. Accordingly, we issue the following mandatory directions: "i) No person throughout the State of Himachal Pradesh shall sacrifice any animal in any place of public religious worship, including all lands and building near such places of religious worship, which are ordinarily connected for religious purposes or in any ceremony/Yagya/congregation or procession connected with any religious worship in a public street forthwith.

ii) No person shall perform or offer to perform or serve, assist or participate or offer to serve any sacrifice of animal in any place of religious worship ceremony/Yagya, including all lands and building near such places of religious worship, which are ordinarily connected for religious purposes forthwith.

iii) No person shall allow any sacrifice to be performed at any place which is situated within any place of public religious worship/ceremony/Yagya including all lands and building near such places of religious worship, which are ordinarily connected for religious purposes forthwith."

All the Deputy Commissioners, Superintendent of Police, Sub Divisional Officers and Station House Officers, throughout the State of Himachal Pradesh, through learned Deputy Advocate General, are directed to comply with these directions punctually and faithfully.