



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 ANTICIPATORY BAIL APPLICATION NO. 123 OF 2025

MOHAMMAD WASIM QURESHI S/O MOHAMMAD
RAFIQ QURESHI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant :

Ms. Shilpa Aurangabadkar h/f. Mr. Satej S. Jadhav
APP for Respondent/State: Mr. S. N. Kendre

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CORAM : ARUN R. PEDNEKER, J.

DATE : 24.02.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.0002/2025, dated 02.01.2025, registered at Kranti Chowk Police Station, Chhatrapati Sambhajinagar, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 5(a), 5(b) of the Maharashtra Animal Preservation Act, 1976 and under Section 11 of the Protection from Cruelty of Animals Act, 1960.

3] This court by order dated 05.02.2025 granted interim protection to the applicant considering the submissions and the reasons recorded at paras 3, 4, 5 and 6 as under:

“3. It is the case against the applicant/accused that on 01/01/2025, secret information was received at the Kranti Chowk Police Station that animals had been brought to the Silelkhana for slaughtering. Consequently, a police squad raided the Silelkhana on 02/01/2025 at 06:30 a.m. and found 94 animals in the cattle shed owned by the applicant and co-accused. As per the FIR and the statement of the co-accused, the present applicant had brought the animals for slaughtering.

4. The learned Counsel for the applicant submits that his name is Mohammad Wasim Qureshi, s/o Mohammad Rafiq Qureshi. He submits that he is not the owner of the cattle. He further submits that another person, namely Juber Qureshi, has claimed ownership of the cattle. He also submits that he is engaged in the scrap business.

5. The learned APP submits that the name of the applicant was mentioned by one of the co-accused. The learned APP opposes the grant of interim protection to the applicant.

6. Considering the rival submissions, it is to be noted that the maximum punishment for the offence in question is up to five years. It is further noticed that no evidence of cattle slaughter was found at the location of the raid. Moreover, the name of the applicant was taken by one of the co-accused, which by itself has no evidentiary value. Considering the above facts, the applicant is granted interim protection.”

4] The learned counsel for the applicant submits that in pursuance of the interim order passed by this court

the applicant has attended the concerned police station and cooperated with the investigation.

5] Considering the reasons in the order dated 05.02.2025, more particularly, that the name of the applicant is stated by one of the co-accused, so also, there is no evidence found of cattle slaughtered on the location of the raid, so also, considering the fact that the ownership of the cattle is also claimed by some other person, considering all these aspects, the interim protection granted would stand confirmed.

6] In view of the above, the interim protection granted by order dated 05.02.2025 stands confirmed, on the following terms:

i] The applicant shall attend the police station as and when required by the Investigating Officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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