



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3061 OF 2019

R.s. Aanji Sinu And Anr
VERSUS
The State Of Maharashtra And Anr

Mr. A. M. Phule, APP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 25th September, 2025

PER COURT :-

1. Learned Advocate for the applicants is absent.
2. We have perused the order passed by this Court on 07.11.2019 and First Information Report. It appears that the present applicants were found possessing skin of animal in their vehicle. They had tried to take the benefit of decision in case of **Anjum Ibrahim Tambatkar (Name as per F.I.R) Yakub Anjum Mohammed Ibrahim Mulla (Correct Name) vs. State of Maharashtra** in Criminal Application No. 608/2019 dated 09.04.2019 and another in case of **Shaikh Najir Shaikh Umar vs. State of Maharashtra and another** in Criminal Application No. 364/201 decided by this Court on 21.06.2018 wherein when it was found that the animal skin was being transported from other state, it was held that the provisions of Maharashtra Animal

Preservation Act and Section 278 of Indian Penal Code will not get attracted by way of order dated 07.11.2019. In this case, the applicants were directed to produce the record that the skin which they were transporting was purchased from other State and is not from Maharashtra and even the learned APP was directed to pass the record after production of the same by the applicants to the Investigating Officer for verification. It appears that the learned Advocate for the applicants has not produced any such record. The matter was not even got for circulated after 16.04.2020. Now, in our view, it would be the matter of evidence as to from where the applicants had procured the skin and, therefore, it is not a case where we should exercise our powers under Section 482 of the Criminal Procedure Code.

3. Hence, Application stands rejected.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi