



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL WRIT PETITION NO.395 OF 2025**

Dhyan Foundation Garada Gaushala through its authorized representative  
Sachin Gurunath Zunjarrao

Vs.

State of Maharashtra, through Police Station Officer, Duggipar Police  
Station, District Gondia and another

---

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

---

Mr. R. R. Gupta, Counsel for the petitioner.  
Mr. M. J. Khan, APP for respondent No.1/State.  
Mr. A. N. Rangari, Counsel for the respondent No.2.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 24/07/2025**

1. The petitioner and respondent filed the joint pursis that respondent No.2 voluntarily relinquish the rights over his two bulls as per Rule 7 of the Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animal) Rules, 2017. The petitioner further undertakes that he will not claim any maintenance charges of whatsoever nature from respondent No.2. The respondent No.2 has no objection if the petitioner puts the cattle for adoption as per Rule 9 of Prevention of Cruelty To Animals (Care and Maintenance of Care Property Animal) Rules, 2017.

2. Learned APP strongly opposed for the same and submitted that considering the fact that

during trial the identification of the animals is required to be taken and therefore, if the permission for the process of adoption or other disposition is granted, then it would be difficult for the prosecution to establish the charges.

3. On perusal of the Rule 7, it reveals that it deals with voluntarily relinquishment which states that nothing in these rules shall be construed to prevent the voluntary and permanent relinquishment of any animal by the owner who is the accused, to infirmity, pinjarapole, SPCA, Animal Welfare Organisation or Gaushala in lieu of executing a bond but the voluntary and permanent relinquishment shall have no effect on any criminal charges against the accused or owner.

4. Section 9 speaks about the process of adoption or other disposition which the Organisation or Gaushala has to follow before putting the animals for production. Thus, this specific provision is there which permits the original owner for the voluntarily relinquishment as well as permit him and Gaushala also for adopting the process of adoption or other disposition. As far as the contention of the learned APP is concerned, which can be taken care of by permitting the Investigating Officer to draw the panchnama while the relinquishment deed is executed in favour of the Gaushala.

5. With these observations, the writ petition can be disposed of by directing that the respondent No.2 shall execute the relinquishment deed before the Judicial Magistrate First Class, Sadak Arjuni, District Gondia. The Judicial Magistrate First Class shall obtain the panchanama from the Investigating Officer before relinquishment of the said animals to the Gaushala and also shall permit to obtain the photographs of the said animals and include the same in the investigation papers.

6. With these directions, the writ petition is disposed of. Accordingly, the writ petition is disposed of.

**(URMILA JOSHI-PHALKE, J.)**