



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

CRIMINAL WRIT PETITION NO. 345 OF 2025

DHYAN FOUNDATION GARADA GAUSHALA

VERSUS

STATE OF MAH., THRU. P.S.O., P.S., DUGGIPAR, GONDIA AND ANOTHER

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. Raju Gupta and Mr. Ajay Maheshwari, Advocates for the petitioner
Mr. A. G. Mate, A. P. P. for the respondent no.1

CORAM : M. W. CHANDWANI, J.

DATE : APRIL 16, 2025.

1. Heard.
2. The contention is that the offence under the provisions of the Prevention of Cruelty to Animals Act, 1960 has been registered against Rameshwar Karu Sidam and others, the cattle have been seized and temporary custody was handed over to the petitioner. The further contention is that the learned Judicial Magistrate, First Class, Sadak Arjuni, by the impugned order dated 11.04.2025 allowed the application filed by respondent no.2 for interim custody of seized cattle pending trial.
3. It is submitted that the petitioner is a voluntary organization engaged in welfare and prevention of cruelty to the animals and interest of the cattle. It is submitted that without hearing the petitioner, the learned Magistrate ordered to handover the custody of the cattle to respondent no.2.

4. Issue notice to the respondents, returnable within two weeks.
5. Learned Additional Public Prosecutor waives service of notice for respondent no.1-State.
6. It is contended that in view of the impugned order, the police is visiting the petitioner for handing over custody of the cattle to respondent no.2. It is further contended that the petitioner will not charge any maintenance amount, if the order is stayed and the cattle remain with the petitioner till disposal of the petition.
7. Considering the submissions, the effect and operation of the impugned order dated 11.04.2025 is stayed till the next date of hearing.
8. Stand over after two weeks.

(M.W.Chandwani, J.)

Diwale