

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL WRIT PETITION NO.580 OF 2026**

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Shaikh Mohd Salim Mohd Siddique

.. Petitioner

Vs.

State of Maharashtra & Anr.

.. Respondents

...

Mr. A. A. Siddiquie a/w. Mr. Moin Chowdhari and  
Mr. Suraj D. Chauhan i/b. M/s. A. A. Siddique &  
Associates, Advocates for the Petitioner

Mr. K. V. Saste, Additional Public Prosecutor for the  
Respondent No.1 to 5 State

**CORAM : SHREE CHANDRASHEKHAR, CJ &  
GAUTAM A. ANKHAD, J.**

**DATE : 13<sup>th</sup> FEBRUARY 2026**

**P.C. :**

The petitioner has made the following prayers:-

*“a) That this Hon'ble Court be pleased to issue appropriate writ, order, and direction directing the Senior Inspector of Police, Shirgaon Parandwadi Police Station (Respondent No. 2), in connection with the illegal confinement, seizure of the vehicle along with the cattle at the instance of the fanatic vigilant group and after examining legalities and proprieties, direct the Senior Inspector of Police to immediately release the vehicle (MH-03-ES-0959) and cattle loaded therein.*

*(b) That this Honourable Court be pleased to quash and set aside any First Information Report/Complaint registered by Respondent No. 2 against the Petitioner or his driver regarding the transport of said animals.*

*(c) That pending the hearing and final disposal of the Petition, Respondent No. 2 be directed not to transfer the custody of the animals to any private Gaushala or third party.*

*(d) That cost of the petition be provided for;*

*(e) Such other and further relieves as this Hon'ble court may deem fit and proper be granted to meet the end of justice under the facts and circumstances of the case.”*

2. Mr. A. A. Siddiquie, the learned counsel for the petitioner states that the offending vehicle bearing registration no.MH-03/ES-0959 has been released. However, the animals which were seized by the respondent-authority have been sent to private Gaushala

illegally. The learned counsel for the petitioner refers to various documents annexed with this writ petition and submits that all necessary and requisite permissions were obtained and the animals were also examined by the Doctor who provided certification. However, the police authority acting as appellate authority has ignored all the permissions, certificates and sent the animals to private Gaushala. The learned counsel for the petitioner further submits that the provisions under clause (d) to sub section (1) to section 11 of the Prevention of Cruelty to Animals Act, 1960 (in short, Act of 1960) are not at all attracted in the present case.

3. Clause (d) to sub section (1) to section 11 of the Act of 1960 provides that a person shall be treated to have causing unnecessary pain or sufferings to the animal if he conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering; thereby the offence under section 11 of the Act of 1960 would be made out. The expression “unnecessary pain or sufferings” shall necessarily require leading of evidence, oral and documentary during the trial and on the face of the allegations in the FIR no finding can be recorded that the petitioner was not treating the animals with cruelty. The allegations made in the FIR are not such that it pertains to some civil dispute or are of such a nature that it can be easily inferred that no offence is made out. However, keeping in mind the ongoing investigation, we are not inclined to observe much on the arguments made on behalf of the petitioner and this writ petition stands disposed with liberty to the petitioner to avail of the statutory remedy as available to him in law.

**[GAUTAM A. ANKHAD, J.]**

**[CHIEF JUSTICE]**