



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

CRIMINAL WRIT PETITION NO.1030 OF 2024

Dhyan Foundation Garada Gaushala ..vs.. State of Maharashtra
WITH

CRIMINAL WRIT PETITION NO.1031 OF 2024

Dhyan Foundation Garada Gaushala ..vs.. State of Maharashtra

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

Court's or Judge's orders

Shri R.R. Gupta, Advocate for petitioners.
Shri A.M. Joshi, APP for the State.
None for respondent no.2.

CORAM: M.M. NERLIKAR, J.
DATE : 06/01/2026.

Heard.

2. By way of present petitions, the petitioners are challenging the order passed by the Judicial Magistrate First Class, Bhiwapur on 13.12.2024, wherein the learned Magistrate was pleased to allow the application of present respondent no.2 directing to release cattle seized in Crime No.534 pf 2024 in favour of present respondent no.2 on certain terms and conditions. One of the condition i.e. condition no.4 of the impugned order reads as under :

“4. The applicant is directed to pay charges to the Dhyan Foundation Goushala Gharada Taluka Lakhani District Bhandara at the rate of Rs.200/per day per animal from date of seizure until its recovery of possession.”

3. Learned Counsel for the petitioner submits that respondent no.2 herein has neither appeared in the present proceedings nor deposited the amount as was directed vide impugned order. Considering this fact, he

submits that it appears that present respondent no. 2 is not interested in getting the cattle release as per direction of the learned JMFC. He further submits that at present, he may be permitted to withdraw the present petitions with liberty to challenge the impugned order as and when the occasion arises.

4. Considering the above facts and circumstances of the case and considering the fact that the respondent no.2 has not complied with condition no.4 of the impugned order dated 13.12.2024, in my opinion the submission made by the petitioner needs to be accepted.

5. In view of the above, permission is granted.

6. The petitions stand disposed of as withdrawn with liberty as prayed for.

(M.M. NERLIKAR, J.)

Trupti