



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

CRIMINAL WRIT PETITION NO.708 OF 2025

Bhagwan Parshuram Go Seva Trust ..vs.. State of Maharashtra and anr.

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 petition, the petitioner is challenging the order passed by the Judicial Magistrate First Class, Court No.2, Karanja (Lad) on 13.06.2025, wherein the learned Magistrate was pleased to allow the application of the present respondent no.2 directing to release 25 cattle seized in Crime No.137 of 2025 in favour of present respondent on certain terms and conditions. One of the condition i.e. condition no.6 of the impugned order reads as under :

“6. Applicant shall pay maintenance amount charges to Panjarapol in respect of 25 seized cattles at the rate of Rs.200/- per day per cattle from the date of seizure of cattles i.e. 31.05.2025 till date of this order, which comes Rs.200 X 25 = 5000 per day and till today 5000 x 13 = 65000. Further, in failure to pay the maintenance charge and caused delay he has to pay the maintenance charge as mentioned above for per day.”

3. Learned Counsel for the petitioner submits that respondent no.2 herein has neither appeared in the present proceedings nor he has 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 petition 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. 6 of the impugned order dated 13.06.2025, in my opinion the submission made by the petitioner needs to be accepted.

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

6. The petition stands disposed of as withdrawn with liberty as prayed for.

(M.M. NERLIKAR, J.)

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