

**ORDER BELOW EXH.1**

(Passed on this 25<sup>th</sup> day of March 2026)

01. The applicant Suresh Naganna Kumbhar, R/o. Mugali, Tal. Akkalkot, Dist. Solapur has filed the present application under section 503 of Bhartiya Nagrik Suraksha Sanhita (for short "BNSS") for release of 02 bullocks which were seized in C.R.No.46/2026 by the officials of Police Station Akkalkot South under the provisions of Maharashtra Animals Preservation Act and Prevention of Cruelty to Animals Act. Applicant is a farmer and having agricultural land bearing Gut No.24/1 at village Mugali, Tal. Akkalkot, Dist Solapur. On 15/02/2026 he purchased the seized bullocks from APMC, Sangola, Dist. Solapur for cultivation of his field. While transporting the said animals the vehicle was intercepted by the police officials and seized the said 02 bullocks. The Police officials are not in need of those animals for any investigation purpose. The animals, therefore, can be returned to the applicant by imposing conditions. He would need the seized animals for cultivating his field property. He had filed the verified copy of his Aadhaar card, verified copy of purchase receipt issued by APMC, Sangola, copy of 7/12 extract of field property Gut No.24/1 and copy of FIR. He prayed for allowing the application.

02. The investigation officer filed his say to the application at Exh.05 and contended that, during the period of transportation the seized animals were tied with ropes around the neck and legs so as to unable them to move freely in the vehicle and without a health certificate from a veterinary officer and without making any food arrangement for the seized animals. The applicant has produced purchase receipt of the seized animals which reflects that he has purchased the seized animals from APMC, Sangola, Tal. Sangola, Dist. Solapur. Hence, prayed to pass proper



order.

**03.** Ld.APP opposed the application by filing her say overleaf the say Exh.5 contending that, the seized animals are an important piece evidence and there is possibility of sell of seized animals if they returned to the applicant and there is possibility of commission of similar type of offence. Hence, prayed to reject the application.

**04.** The intervenor Ahinsa Goshala filed his say vide Exh.7 and opposed the application on the grounds that, the animals were carried, and transported in a cruel manner without making any arrangement for water, food and providing any medical aid to them. The applicant failed to produce any document showing lawful ownership of the seized cattle. The present offence appears to be part of an organized crime and accused are engaged in organized cattle trafficking by purchasing cattle for the purpose of illegal slaughter. None of the cattle were ear-tagged in compliance with the Government resolution dtd.27/02/2024. The accused/driver did not produce any purchase document from the APMC market to the I.O. The applicant has failed to disclose mode of transaction. The animals were in badly cramped condition in the vehicle that they were not able to even move. Hence, it prayed for continuous custody of seized cattle and to direct the applicant to pay Rs.200/- per cattle for costs of transport, maintenance and treatment. Finally, it prayed to reject the application.

**05.** I have perused the application, say thereon, documents filed along with it and heard APP and advocate for the applicant. The object of the legislation was to prevent, protect the animals from cruelty, illegal



slaughtering, illegal transportation of the animals from one place to another in a cruel manner and so on. On perusal of the FIR reflects that, vehicle which was intercepted by the police officials after receiving information about illegal transportation of the animals in a cruel manner and for slaughter purposes. The animals of the applicant were also being transported in a vehicle and those were seized and were kept at Ahinsa Goshala after, they found that, the animals were treated in a cruel manner. The FIR clearly suggest that, the animals were tied by rope and they were unable to move freely in the vehicle and there was no arrangement of any fodder, food or water during the period of transit. Moreover, the vehicle was also carrying a buffalow and its calf in the same vehicle and it seems that, the applicant has not made proper arrangement for transportation of his animals. The Hon'ble Supreme Court and the Hon'ble High Court have laid down several principles through judicial pronouncements that, the object of the Act should not be defeated by giving custody of the animals to their owners after they produce the receipts of their purchase. If the owners of the animals were really cared for their health, well-being, then they would not have transported those animals in such a manner. The applicant has not mentioned in his application about any care, he took during the course of transportation of the animals to his village from Sangola. In such situation, it would not be proper and just to release the animals and give their custody to the applicant. The application of the applicant lacks merit and hence, application is liable to be rejected. Hence, the following order.

**ORDER**

- 1] The application is hereby rejected.
- 2] The applicant shall however, pay an amount of Rs.200/- (Rs.Two Hundred only) per day per animal to the



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Ahinsa Goshala, Barshi Road, Bhogaon, Solapur from the date of admission of the animals till further orders of this court. If the applicant fails to comply with this order then, the concerned Goshala shall be under strict directions to intimate this Court about the default. The Goshala shall take proper care of the animals and ear-tag it as per the provisions of law and the expenses if any, for the same shall be recovered from the applicant. The Goshala shall maintain proper check ups of the animals from time to time and shall keep record of the same for perusal of this Court. The seized animals shall not be used for any personal or institutional benefit by the Goshala without the permission of this Court.

Dated: 25/03/2026

(M .M Kalyankar)  
Judicial Magistrate F.C.  
Akkalkot