



:1:

Cri.M.A. No.103/2026
Shridhar Kulkarni Vs. State
MH SO150011952026
&
Cri.M.A. No.101/2026
Budhappa Aswale Vs. State
MH SO150011932026

ORDER BELOW EXH.1

(Passed on this 29th day of June 2026)

01. The applicants **Shridhar Vyankatesh Kulkarni** R/o. Dabare Galli, Akkalkot, Tal. Akkalkot, Dist. Solapur and **Budhappa Nagappa Aswale** R/o. Umarge, Tal. Akkalkot, Dist. Solapur have filed the present applications under Section 503 of Bhartiya Nagrik Suraksha Sanhita (for short “BNSS”) for release of 03 bullocks which were seized in C.R.No.248/2026 by the officials of Police Station Akkalkot North under the provisions of Maharashtra Animals Preservation Act and Prevention of Cruelty to Animals Act. Applicant are farmers. The applicant Shridhar Kulkarni jointly held irrigated agricultural land ad-measuring 07-59 H.R., P.K. 00-12 H.R. bearing Gut No.124 at Akkalkot rural and applicant Budhappa Aswale held agricultural land at village Umarge, Tal. Akkalkot, Dist. Solapur bearing Gut No.120 ad-measuring 00-66 H.R. The applicants earns their livelihood from these agricultural lands. The applicants are in need of bullocks for cultivating their agricultural lands and for bringing fodder for their cattle. Therefore, they decided to purchase bullocks. On 26/04/2026 they purchased the seized bullocks from weekly market of Karajkheda, Tal. & Dist. Dharashiv for cultivation of their fields from Parmeshwar Bharat Shinde & Hiraji Sudhkar Sul. For that purpose, the Gram Panchayat Office, Karajkheda, has issued receipts Nos.482, 484 & 487 mentioning therein names of buyer and seller, colour, age and tail of bullocks. While transporting the said animals from vehicle No.MH/05-DK-6369, it was intercepted by the police



:2:

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officials and seized the said 03 bullocks. The Police officials are not in need of those animals for any investigation purpose. The seized animals have been kept at Goshala. The animals, therefore, can be returned to the applicants by imposing conditions. They would need the seized animals for cultivating their field properties. They have filed the copy of FIR, copy of 7/12 extract of field properties, verified copies of receipts issued by Sarpanch, Grampanchayat Karajkheda, Tal. & Dist. Dharashiv and verified copies of Adhar cards. Hence, they prayed for allowing the applications.

02. The investigation officer filed his say to the applications at Exh.05 and contended that, the seized animals were found at Dahitane, Taluka Akkalkot, while being transported in a vehicle in a cramped condition with the intention of slaughter. An inquiry is yet to be conducted, based on the receipts of purchase of cattle submitted by the applicants, to verify whether the applicants have actually purchased the cattle or not. Hence, he prayed to reject the applications.

03. Ld.APP opposed the applications by filing her say overleaf the say Exh.05 contending that, the offence under Maharashtra Animals Preservation Act and Prevention of Cruelty to Animals Act has been registered against the accused. There is a possibility that, the seized animals were being transported with the intention of slaughter and there is possibility of commission of similar type of



:3:

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offence. Hence, prayed to reject the applications.

04. The intervenor Ahinsa Goshala filed his say vide Exh.6 and opposed the applications on the grounds that, the seized animals were carried and transported in a cruel manner without making any arrangement for water, food and providing any medical aid to it. The applicants 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 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 applications.

05. Perused the applications, say thereon, documents filed along with it, objection of the intervenor and heard the advocates for the sides. The applicants have filed the copies of 7/12 extract, copies of receipts thereby they purchased the seized bullocks from the market. The applicants on the basis of these documents claimed the ownership of the seized animals and according to them, they had permitted transport of their bullocks and had directed the owner of



:4:

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vehicle bearing registration No.MH/05-DK-6369 to deliver the bullocks to their village. The FIR shows that, the said vehicle was carrying three bovine animals with an intention to use it for slaughtering purpose but, the injury marks on the body of the animals were not mentioned in the FIR and the informant has mentioned the same contentions in the FIR with respect to other vehicles and animals. Infact, the informant had combined three owners of different animals in a single FIR. The documents filed by the Goshala also do not suggests that, the animals at the time of their entry had any injuries or otherwise were affected in any manner. The conduct of the applicants no doubt, is illegal but, looking to the facts and circumstances, that the applicants belong to same taluka and had purchased the bullocks on different dates but, were transporting them in the same vehicle do not prima facie establish about their intention to transport those animals for slaughtering purpose. In view of this, the mere mention by the informant in the FIR that, the animals were taken away for the slaughtering purpose would not suffice. In view of this, the applications stand allowed and the objection is hereby rejected.

ORDER

- 1) The applications are allowed and the objection of the intervenor is rejected.
- 2) The applicants Shridhar Vyankatesh Kulkarni and Budhappa Nagappa Aswale are entitled to interim custody respectively 02 and 01 bullocks seized by the police station, Akkalkot



:5:

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North in CR.No.248 of 2026 on executing two separate indemnity bonds of Rs.1,00,000/- each with one solvent surety in like amount. They shall not use the animals for any illegal use and shall produce them before the Court as and when required and shall not repeat the offence and shall not sale away the seized animals without the permission of the Court and shall tagged them for identification.

- 3) They shall pay the maintenance charges of Rs.200/- per day per animal from the date when the 03 bullocks were seized and brought at the Ahinsa Goshala, Barshi road, Solapur till they remain in its custody. The receipts of payment of the charges as aforesaid shall be placed on record alongwith the necessary permissions, certificates for such transportation of the seized animals.
- 4) The Investigation officer is hereby directed to file the charge-sheet at the earliest and the presence of the accused shall be kept secured so that, more time is not lost in doing the said work.

Dated: 29/06/2026

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



:6:

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CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are same word to word, as per the original Order / Judgment.

Name of the Stenographer : S.S.Mitragotri (Grade-III).
Court : Judicial Magistrate First Class, Akkalkot.
Date : 29.06.2026
Judgment / Order signed by P. O. on : 29.06.2026
Judgment / Order uploaded on : 29.06.2026



:7:

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