Below True copy of order passed by this Hon'ble Court on 26/08/2025 in C. C. No. 561/Misc/~~AN~~/2025 of Kherwadi / Nirmal Nagar / Excise — Division Police Station, Mumbai, for Return of Property.

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O. W .No. 909 of 2025
Dated: 30/08/2025

Forwarded to the Senior Inspector of Police, Kherwadi / Nirmal Nagar / Excise — Division Police Station, Mumbai, for necessary information and compliance.

JUDICIAL MAGISTRATE (FIRST CLASS) ★ BANDRA, MUMBAI ★ सत्यमेव जयते

30-8-25

Judicial Clerk,
Judicial Magistrate (F.C.)
12th & 32nd court, Bandra, Mumbai.

IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS), 32ND COURT, BANDRA, MUMBAI.

Notice No. 561/MISC/2025.
C.R. No. 532/2025.
Nirmal Nagar Police Station.
MHMM18-009793-2025

People for the Ethical Treatment of Animals (PETA) India
Represented by
Saloni Sakaria, Lead Cruelty Response Co-ordinator, PETA India ... Applicant

V/s.

Sr. Inspector of Police,
(Nirmal Nagar Police Station) +2 ...Respondents.

ORDER BELOW EXH-1

This application is filed by the applicant namely **Saloni Sakaria** for handing over two rams (male sheep) and request to give direction to the accused to give compensation of Rs.3,600/- per month and care & maintenance cost. Said animals are seized by the Nirmal Nagar police station in connection with Crime No. 532/2025 registered with the said police station for the offence punishable under section 11(1)(a), 11(1)(m), and 11(1)(n) of Prevention of Cruelty to Animal Act, 1960, Section 291 and 3(5) of BNS, 2023 and Section 119 of Maharashtra Police Act, 1951. The applicant's advocate has filed different citations on record.

2) I.O. has given his no objection. Ld. APP prayed for appropriate order. Accused has failed to file say.

3) In support of her contention regarding her claim of interim custody, the applicant has filed on record Notarized copies of FIR & statement, copy of Certificate of Recognition, letter in response to PETA

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SSP
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India's Request and willingnes to rehabilitate two rams at Animal Rahat (Sangali) alongwith her affidavit.

4) The applicant has claimed interim compensation for care and maintenance of the animals from respondent No.2 & 3. Both the respondents have failed to appear before the court and file their say. Though prima-facie the allegations of animal cruelty are made against them, passing any adverse orders behind their back is not justifiable. The custody with the applicants is interim and they can get the amount of compensation recovered from the accused or from any other persons, who is responsible for the cruelty later on.

4) In the matter of ***State of Gujarat and Ors. Vs. Mirzapur Moti Kureshi Kassab Jamat and Ors.*** and ***State of U.P. Vs. Mustakeem***; the Hon'ble Supreme Court has laid down certain guidelines as to the Interim custody of cattle vasted with the Goshala so long as the criminal trial for animal cruelty, against the respondent is pending. As per this ratio said animals is returned to the applicant. Under such circumstances, pass following order :-

JUDICIAL MAGISTRATE FIRST CLASS BANDRA, MUMBAI

-: ORDER :-

1] Application is partly allowed.

2] The seized muddemal property i.e. two rams (male sheep) be handed over to applicant in interim custody.

3] The applicant should undertake that she shall not transfer, pledge or any other way alienate the said muddemal till the final disposal of the Crime No.532/2025.

4] The applicant is also directed to produce the said muddemal property as and when ordered to do so.

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5] The I.O. is directed to draw the proper panchanama and take out two photographs of the muddemal property in order to establish the identity for identification and evidence.

6] The applicant possesses the right to claim actual amount of compensation incurred by it from the concern persons/accused, who are responsible for the cruelty with the animals later on, as per law.

JUDICIAL MAGISTRATE (FIRST CLASS) BANDRA, MUMBAI

S.S. Parkhi 26/8/25

(S.S. Parkhi)
Judicial Magistrate (First Class),
32nd Court, Bandra, Mumbai.

Date : 26.08.2025
ssl.

True Copy 30-8-25
Judicial Clerk
Judicial Magistrate (First Class)
12/9/25 32nd Court, Bandra, Mumbai