

OFFICE OF CHIEF METROPOLITAN MAGISTRATE,  
'NORTH-EAST DISTRICT, KARKARDOOMA COURTS, DELHI.

To,


All the Ld. ACMMs & MMs  
North-East District,  
Karkardooma Courts, Delhi.

Sub: Implementation of The Prevention of Cruelty to Animals (Care and Maintenance of case Property Animals) Rules, 2017.

Sir/Madam

Please find enclosed herewith a copy of "The Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017" for information and implementation, while dealing with Cases filed by Delhi Society for Prevention of Cruelty to Animals under the prevention of Cruelty to Animals Act, 1960, particularly with regard to the custody of animals during pendency of litigation and upon disposal of the cases.

The Ld. Officers are also requested to go through the order dated 22-02-2002 (copy enclosed) of Hon'ble Supreme Courts of India in Criminal Appeal Nos. 283-287/2002 titled "State of UP Vs. Mustakeem & Ors". for this purpose.

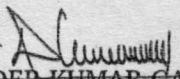
  
(DEVENDER KUMAR GARG)  
Chief Metropolitan Magistrate,  
North-East District,  
Karkardooma Courts, Delhi

No./SC/18/CMM/NE/KKD/Delhi

Date: 27.02.2018

Copy forwarded for information and necessary action to:-

1. The Ld. District & Sessions Judge North-East District, Karkardooma Courts, Delhi for information.
2. Ld. ACMM/Metropolitan Magistrates, North East District, Karkardooma Courts, Delhi.
3. The Incharge, District Courts Web-Site Committee, Tis Hazari Courts, Delhi.
4. The Incharge Computer Branch, NE Distt. Web-Site Committee, KKD. Courts, Delhi.
5. The Secretary, Animal Welfare Board of India- for information.
6. The Divisional Commissioner, Delhi Society for Prevention of Cruelty to Animals- for information.
7. Information Center, Karkardooma Courts, Delhi.
8. Office File.

  
(DEVENDER KUMAR GARG)  
Chief Metropolitan Magistrate,  
North-East District,  
Karkardooma Courts, Delhi

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IN THE SUPREME COURT OF INDIA  
 CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NOS. 283-287/2002  
 (arising out of SLP(CR.) Nos. 2790, 2793, 2795, 2797, 2800/1999)

State of U.P.

...Appellant

Vs.

Mustakeem & Ors.

...Respondents  
 Certified to be true copy

ORDER

Leave granted.

*[Signature]*  
 Assistant Registrar  
 ...  
 Supreme Court of India

The State of Uttar Pradesh is in appeal against the direction of the Court directing release of the animals in favour of the owner. It is alleged that while those animals were transported for the purpose of being slaughtered, an FIR was registered for alleged violation of the provisions of Prevention of Cruelty to Animals Act, 1960, and the specific allegation in the FIR was that the animals were transported for being slaughtered, and the animals were tied very tightly to each other. The criminal case is still pending. On an appeal for getting the custody of the animals was filed, the impugned order has been passed. We are shocked as to how such an order could be passed by the learned Judge of the High Court in view of the very allegations and in view of the charges, which the accused may face in the criminal trial. We therefore set aside the impugned order and direct that these animals be kept in the Goshala and the State Government undertakes to take the entire responsibility of the preservation of these animals so long as the matter is under

trial.

The appeals stand disposed of accordingly.

*SLV*  
.....J.  
( G.B. PATTANAİK )

New Delhi,  
February 22, 2002

*SLV*  
.....J.  
( BRIJESH KUMAR )

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APPELLATE COURT OF INDIA  
NEW DELHI  
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