

Cr. Rev. 175/2025, IA No. 01/2026
Sanjay Gandhi Animal Care Centre Vs. State & Anr.

13.01.2026

File is taken up on an application seeking early hearing moved on behalf of the revisionist.

Present: Sh. Uday Bedi, Ld. Counsel for applicant/ Revisionist
(through VC).

Ms. Smiksha Singh Roha, Ld. Counsel for applicant/
Revisionist (in Court).

Sh. S.K. Dubey, Ld. Addl. PP for the State/respondent
no. 1.

Deputed IO/ASI Hemant Kumar in person.

1. Ld. Counsel for the applicant/Revisionist has submitted that the present Revision Petition has been filed against the order dated 11.08.2025 passed by the Ld. Judicial Magistrate First Class, Shahdara District, Karkardooma Courts, Delhi in Misc. Crl. No. 1591/2025 titled "*Vishal Vs. State*" arising out of FIR No. 369/2025, PS Jagat Puri, whereby custody of ten dogs seized during investigation was directed to be released in favour of respondent no. 2. It is further submitted that the impugned order is allegedly contrary to the object and statutory framework of the Prevention of Cruelty to Animals Act, 1960, as the seized animals were directed to be released to the accused himself, i.e., respondent no. 2.

2. Ld. Counsel has further submitted that a subsequent order dated 24.12.2025 was passed in Misc. Crl. No. 2258/2025, directing the Revisionist to hand over the custody of all ten dogs to respondent no. 2 within seven days, with the assistance of the IO and the matter was listed for compliance on 19.01.2026; that the respondent no. 2 and

the IO have been repeatedly approaching the Revisionist for compliance, and the present revision and the application seeking early hearing has been filed due to urgency arising from such repeated visits.

3. Ld. Counsel has further submitted that compliance with the impugned orders could not be effected till date due to practical difficulties as that there are approximately 6000 animals in the centre of the Revisionist, out of which around 3000 are dogs and due to limited staff availability during the New Year period, the identification of the ten dogs referred to in the judicial orders is taking time.

4. Submissions heard. Record perused.

5. At the outset, it is clarified that there is no stay in the execution of the order dated 11.08.2025. The explanations offered by the Revisionist for non-compliance of the orders of the Ld. Trial Court are totally unsatisfactory, evasive, and lacking in bona fides. A shelter or centre for animals or animal care claiming custody of thousands of animals is expected to maintain proper records, identification protocols, medical documentation and traceability, particularly in respect of animals taken into custody under authority of law. Animals/birds/living beings are not inanimate objects, case property, or disposable items. They are living, sentient beings, entitled to life, dignity, and proper care under the law. The issue involved is therefore a matter of life and welfare, and not mere possession or logistics.

6. A perusal of the order dated 24.12.2025 reveals that submissions were made on behalf of the Revisionist before the Ld. Trial Court that all ten dogs were in their custody and none of them

have been sold/adopted; that the animals were not in good health and requested to file update on the said dogs and that some of the dogs might have died during custody. These statements are extremely alarming, as they indicate gross lapses in supervision, medical care, and accountability, raising serious concerns about the manner in which the Revisionist has discharged its statutory duties.

7. The Revisionist cannot hide behind administrative excuses for not complying the order of Ld. Trial Court while admittedly there was no stay of the impugned order.

The Revisionist has alleged that the animals/dogs were being kept in inhumane conditions and were being neglected by the alleged accused were not in good health while they were allegedly rescued from the respondent no. 2/accused but till date, no Court has made any finding of cruelty against any party. Any assertion of “prima facie cruelty” or ill-treatment is solely the claim of the complainant and cannot be treated as a judicial finding or even prima facie opinion of any Court.

8. In view of the above, the Revisionist/applicant is directed to file a detailed, comprehensive, and sworn status report on the next date of hearing, covering the following points:

- Total number of animals/birds taken into custody from alleged accused persons till date.
- Case-wise and date-wise details of animals/birds received in custody.
- Number of animals/birds returned to their respective owners pursuant to Court orders.
- Number of animals/birds that died during custody and

compensation, if any provided to the owners.

- Date, cause of death, and supporting veterinary/post-mortem records for each deceased animal/bird.
- Number of animals/birds sold, adopted, transferred, or otherwise disposed of while in custody.
- Identity and details of recipients for all animals/birds released or transferred.
- Current status (alive/deceased) and exact location of each animal/bird taken into custody.
- Post-release/fate monitoring undertaken to ensure welfare of animals/birds after release.
- Detailed record-keeping mechanisms, identification protocols (tags/microchips), and veterinary supervision in place for all animals/birds in custody.
- Explanation for any non-compliance with judicial orders or delays in handover of animals/birds.

9. Put up for filing of above-sought status report as well as for arguments on the present Revision Petition on **16.01.2026**.

11. Notice of this application issued to the respondent no. 2 not been received back yet. Let a fresh notice be issued to the respondent no. 2 for the next date of hearing.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
Delhi/13.01.2026

AT 11:10 AM

1. At this stage, Sh. Mayank Sharma, Ld. Counsel for respondent no. 2 has appeared before the Court, he is apprised with the order and the next date of hearing.

2. Ld. Counsel for respondent no. 2 has submitted that the Revisionist has demonstrated complete and utter disregard for the authority of the Ld. Trial Court by failing to comply with the orders dated 11.08.2025 and 24.12.2025, despite clear and specific directions. The excuses put forth by the Revisionist i.e. staffing shortages and logistical difficulties, are wholly untenable and reveals an alarming lack of seriousness, responsibility, and bona fides on the part of an organization that claims to be dedicated to animal welfare. The Revisionist's own admission of a shortage of staff during the New Year period is, by itself, conclusive proof that they are entirely incapable of managing the custody of the animals in their care.

3. Ld. Counsel has further contended that the Revisionist's claim that some animals may have died in their custody is not only alarming but cannot be accepted at face value. These statements are deliberate, misleading, and serve to conceal their gross negligence. If proper care, supervision, and veterinary attention had genuinely been provided, such deaths could never have occurred. The fact that animals are allegedly dying under their watch is incontrovertible proof that the Revisionist is failing in its most fundamental duty of care.

4. It is further submitted that the Revisionist's practices reveal a deeply troubling and deliberate pattern of selective custody. They consistently refuse to take responsibility for ordinary street dogs or genuine rescue cases, instead seizing the opportunity to take custody only of exotic or high-value breeds. This selective approach

leaves countless vulnerable animals without protection and exposes the Revisionist's operations as being motivated not by genuine concern for animal welfare, but by personal gain and commercial interest. Such conduct constitutes a blatant abuse of the statutory mandate under the Prevention of Cruelty to Animals Act, 1960, which requires custodians to provide protection, care, and oversight for all animals, without discrimination. Far from acting as responsible guardians of animal welfare, the Revisionist has demonstrated itself to be self-interested, opportunistic, and utterly untrustworthy, exploiting the guise of "care" to further its own agenda. Moreover, it appears to be part of the Revisionist's deliberate design to orchestrate complaints through their own contacts, thereby manufacturing legal disputes and creating situations that allow them to seize custody of animals under false pretenses. This manipulative conduct exposes the Revisionist's malicious intent and systemic misuse of their position, further eroding any claim they may have to act in the genuine interest of animals.

5. Further, it is averred that it cannot be ignored that the Revisionist's conduct also raises grave concerns of a potential animal trafficking racket. The repeated delays in compliance, the misrepresentation or exaggeration of animal deaths, the selective custody of exotic breeds, and the complete lack of transparency all strongly suggest a motive that is commercial or exploitative rather than humanitarian; that there is no independent verification of deaths and no traceability of animals. Continued custody by the Revisionist is not protecting animals but placing them in danger and their repeated claims of care and welfare are nothing more than a facade to cover systemic mismanagement and potential exploitation.

6. In light of the above, it is submitted that the Revisionist's conduct demonstrates blatant non-compliance, gross negligence, and deliberate misrepresentation, all while claiming to act for animal welfare. Their actions endanger life, violate statutory duties, and constitute a misuse of their supposed authority. It is clear that the Revisionist is not a guardian of animals but a custodian in name only, and any further continued custody with the revisionist will only perpetuate risk to innocent, defenseless animals.

7. Submissions heard. Record perused.

8. Put up the file on the date already fixed i.e. **16.01.2026**.

9. Copy of this order be given dasti to all the parties.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
Delhi/13.01.2026