

सुरभि शर्मा वट्टा  
SURABHI SHARMA VATS  
अधिरिक्त राज्य न्यायालय-04  
Additional Sessions Judge-04  
कोर्ट रूम नं. 51, द्वितीय तल  
Court Room No. 51, 2nd Floor  
शाहदरा कार्कडुमा न्यायालय, दिल्ली  
Shahdara Karkardooma Courts, Delhi

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

16.01.2026

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

Present: Ms. Varisha Sharma, Ld. Counsel for applicant/  
Revisionist (through VC).  
Ms. Samiksha Singh Roha, Ld. Counsel for applicant/  
Revisionist (in Court).  
Sh. S.K. Dubey, Ld. Addl. PP for the State/respondent.  
Sh. Mayank Sharma and Sh. Shakeel Ahmad, Ld  
Counsels for respondent no. 2.  
Respondent no. 2 in person.

1. Ld. Counsel for revisionist/applicant has submitted that due to paucity of time, the detailed status report as directed vide order dated 13.01.2026 passed by this Court could not be prepared; she seeks some more time to furnish detailed status report.
2. Ld. Counsel for respondent no. 2 has submitted till date, despite repeated directions of the Court, the applicant/revisionist has not complied with the order dated 11.08.2025 and 24.12.2025 passed by the Ld. Trial Court whereby, the directions were passed to release the ten pet dogs of the respondent no. 2 to him; that the applicant/revisionist is taking bogus pleas for non-compliance of the said orders.
3. Ld. Counsel for respondent no. 2 has submitted that the revisionist/applicant has taken custody of the pets of respondent no. 2 on the alleged ground of cruelty and is now contending that the custody of the pets may not be returned to him, however, revisionist/applicant is not a competent authority to carry out inspections or investigate matters related to animal cruelty; that as per



Circular No. 9-17/2019-20/PCA dated 13.03.2020 issued by the Animal Welfare Board of India, only officials of the concerned State Animal Welfare Board, Forest Department, District Administration, Animal Welfare Board, Forest Department, District Administration, Police Department, Animal Husbandry Department, representatives of the District Society for Prevention of Cruelty to Animals, or Honorary Animal Welfare Officers (State/Legal/District) are authorized to conduct inspections related to complaints concerning animal cruelty; that no finding of cruelty or misconduct has ever been made against respondent no. 2 by any of these competent authorities or even by any Court of law, and any attempt by the revisionist/applicant to allege cruelty or assume such powers is wholly unauthorized, legally untenable, and malafide and just to continue illegal custody of the dogs of the respondent no. 2.

4. Sh. Vishal, respondent no. 2, has submitted that despite clear directions contained in the orders dated 11.08.2025 and 24.12.2025 passed by the Ld. Trial Court for release of his pet dogs, he has been made to run from pillar to post to secure their release from the custody of the revisionist/applicant; that he alongwith IO, had visited the premises/centre of the revisionist on several occasions, however, on each visit, the revisionist/applicant, on one pretext or another, refused and avoided compliance with the said judicial directions.

5. Respondent no. 2 has further submitted that he has raised his pet dogs as his own children and babies; that he is in possession of complete medical records and vaccination cards of all his pet dogs, clearly establishing proper care and attention of his dogs; that out of the said dogs, two were more than eight years old and one female dog was even pregnant when they were wrongfully taken away from his



custody without any rhyme or reasons; that one of the dogs was bleeding at the time she was taken away from his custody since, the said female dog (dam) had delivered a puppy on that day, which unfortunately did not survive the birth, and that upon consultation with a veterinary doctor, he was informed that such bleeding is normal post-delivery and would subside within a few hours.

6. It is further submitted by respondent no. 2 that it has now become apparent that the revisionist/applicant ( i.e. Sanjay Gandhi Animal Welfare Centre), has taken away the dogs not for any genuine welfare purpose but for commercial exploitation and illegal trafficking, as he has credible information that two of the said dogs have already been sold during the period of their unauthorized custody with the revisionist/applicant.

7. Ld. Counsel for respondent no. 2 has submitted that the conduct of the revisionist/applicant demonstrates a pattern of deception and bad faith; that there is information that two of the dogs have already been sold during the period of unauthorized custody; that such conduct of the revisionist/applicant indicates that it is motivated by commercial gain rather than animal welfare and is potentially involved in illegal animal trafficking, and therefore, the continued retention of the animals with the revisionist cannot be allowed to persist.

8. Ld. Counsel for respondent no. 2 has further submitted that the revisionist/applicant is taking the plea that identification of the dogs is taking time due to shortage of staff, however, respondent no. 2, being the lawful owner and having raised the dogs himself, can easily identify all of them, therefore, he may be allowed to identify his pet



dogs and there remains no justification for further delay in returning the pets. He prayed that the Hon'ble Court may direct the immediate release of the dogs in favor of respondent no. 2, with the assistance of the IO or appropriate police authorities to ensure strict and effective compliance.

9. Submissions heard. Record perused.

10. Perusal of the record reveals that the applicant/revisionist has miserably failed to comply with the orders dated 11.08.2025 and 24.12.2025 passed by the Ld. Trial Court, despite repeated opportunities and despite a categorical clarification by this Court on the previous date of hearing that there is no stay in execution of the said orders. Even the detailed status report as directed by this Court on 13.01.2026 has also not been filed on record yet. The plea of paucity of time to file detailed status report also appears to be a lame excuse and reflects the casual, negligent and defiant attitude of the revisionist towards the judicial process. The conduct of the revisionist/applicant clearly demonstrates an intentional and deliberate non-compliance of lawful orders passed by the Ld. Trial Court. The revisionist cannot be permitted to frustrate the execution of Court orders by taking false, evasive and bogus pleas, particularly when the issue pertains to living, sentient beings whose welfare cannot be allowed to suffer on account of lame excuses or administrative delay.

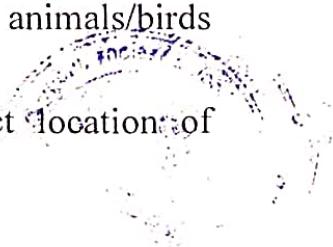
11. The continued retention of the dogs, despite clear judicial directions, amounts to gross misuse of authority and is wholly impermissible in law. The Courts are duty-bound to ensure that orders are implemented in letter and spirit, more so where the subject matter involves animal welfare and fundamental principles of justice.



In view of the facts and circumstances discussed hereinabove, and keeping in mind the sensitivity of the matter involving living and sentient beings, it is directed that the dogs in question be released forthwith in favour of respondent no. 2, strictly in compliance with the orders dated 11.08.2025 and 24.12.2025 passed by the Ld. Trial Court since there is no stay granted by this Court in execution of these orders.

12. Further, in the considered opinion of this Court, the status report as directed vide order dated 13.01.2026 is duly required to appreciate the arguments of both parties and for the effective adjudication of this Revision Petition, therefore, the revisionist/applicant is again directed to furnish detailed, comprehensive, and sworn status report positively on the next date of hearing, covering the following points:

- i. Total number of animals/birds taken into custody from alleged accused persons till date.
- ii. Case-wise and date-wise details of animals/birds received in custody.
- iii. Number of animals/birds returned to their respective owners pursuant to Court orders.
- iv. Number of animals/birds that died during custody and compensation, if any provided to the owners.
- v. Date, cause of death, and supporting veterinary/post-mortem records for each deceased animal/bird.
- vi. Number of animals/birds sold, adopted, transferred, or otherwise disposed of while in custody.
- vii. Identity and details of recipients for all animals/birds released or transferred.
- viii. Current status (alive/deceased) and exact location of each animal/bird taken into custody.



- ix. Post-release/fate monitoring undertaken to ensure welfare of animals/birds after release.
- x. Detailed record-keeping mechanisms, identification protocols (tags/microchips), and veterinary supervision in place for all animals/birds in custody.
- xi. Explanation for any non-compliance with judicial orders or delays in handover of animals/birds.

13. Put up for filing of the above-sought status report and for arguments on the present Revision Petition on the date already fixed in the main case file i.e. on **22.01.2026**.

14. Copy of this order be given dasti to the parties and be also sent to the Ld. Trial Court for information.

*Seal*  
(SURABHI SHARMA VATS)  
ASJ-04/Shahdara/KKD Courts,  
Delhi/16.01.2026

AT 12:10PM

At this stage, Insp. Abhishek Kumar Singh, SHO, PS Jagatpuri has appeared through VC, he is apprised with the order.

*Seal*  
(SURABHI SHARMA VATS)  
ASJ-04/Shahdara/KKD Courts,  
Delhi/16.01.2026

Addl. Sessions Judge-04  
Shahdara, Karkardooma Courts, Delhi

