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CASE COMMENTARY: STRAY DOG VERDICT (2025)

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Case Comment: *In Re: “City Hounded by Strays, Kids Pay Price”*

Court: Supreme Court of India

Citation: 2025 INSC 1018¹

Date: 22 August 2025

Jurisdiction: Suo Motu Writ Petition (Civil) No. 5 of 2025

Bench: Hon'ble Mr. Justice Vikram Nath, Hon'ble Mr. Justice Sandeep Mehta, and Hon'ble Mr. Justice N.V. Anjaria

Amicus Curiae: Mr. Gaurava Aggarwal, Sr. Adv.

Abstract

The **Supreme Court of India’s Stray Dog Verdict (2025)** marked a decisive intervention in balancing **public health concerns** with **animal rights protections**. Triggered by rising incidents of dog bites and rabies deaths, the Court declared a **public health emergency** in Delhi NCR and directed municipal authorities to remove stray dogs from public spaces and place them in shelters. The judgment emphasized the **constitutional duty of compassion for animals (Art. 51A(g))** while prioritizing **citizens’ right to life and safety (Art. 21)**. It mandated sterilization drives, vaccination programs, and accountability of municipal bodies, while also clarifying guidelines on feeding stray dogs. The verdict sparked debate between **animal welfare advocates** and **public safety proponents**, highlighting the tension between humane treatment and urgent health measures.

Keywords: Public Health Emergency, Animal Rights, Sterilization & Vaccination, Municipal Accountability, Constitutional Balance

¹ *In re City Hounded by Strays, Kids Pay Price, 2025 INSC 1018, Writ Petition (Civil) No. 5 of 2025 (Aug. 22, 2025).*

Introduction

This case marks one of the most important recent decisions on managing stray dogs in India. The Supreme Court intervened taking *Suo moto* cognizance after the tragic death of a six-year-old child in Delhi due to a dog attack. The Court's actions followed a concerning news report titled "*City Hounded by Strays, Kids Pay Price*", it stepped in to address the urgent conflict between public safety and animal protection. The central aim was to balance the *Article 21*² *right to life and safety of citizens* with the statutory duty to treat animals humanely, as laid down in the *Animal Birth Control Rules, 2023 (ABC Rules)*³

At the heart of the case was the dilemma whether authorities could permanently confine stray dogs or had to follow the law by *sterilising, vaccinating, and returning them to their original areas*. The judgment offered a balanced, empathetic, and compassionate approach to protect both humans and animals.

Facts of the Case

The case began after a six-year-old child in Delhi died of rabies following a stray dog attack, which led to public concern and media reports. A *Times of India* article titled "*City Hounded by Strays, Kids Pay Price*"⁴ brought the issue to national attention, prompting the Supreme Court to take *Suo motu* cognizance on 28 July 2025.

Soon after, on 11 August 2025, a two-judge Bench issued strict directions: stray dogs across the NCR were to be rounded up, sterilised, vaccinated, kept in shelters permanently, and not released back onto the streets, with warnings of contempt for anyone obstructing the process.

Animal-rights groups and concerned citizens challenged this order, arguing that it violated *Rule 11(19)* of the Animal Birth Control Rules, 2023, which requires sterilised dogs to be returned to their original locality.

² INDIA CONST. art. 21.

³ Prevention of Cruelty to Animals Act, No. 59 of 1960, and Animal Birth Control (ABC) Rules, 2023

⁴ Koushiki Saha, **Delhi Hounded by Strays, Kids Pay Price: Girl, 6, Dies of Rabies After Dog Attack; Family Alleges Official Apathy**, *Times of India* (July 28, 2025), <https://timesofindia.indiatimes.com/city/delhi/delhi-hounded-by-strays-kids-pay-price-girl-6-dies-of-rabies-after-dog-attack-family-alleges-official-apathy/articleshow/122938488.cms>

Recognising the *competing interests* of public safety and animal welfare, the matter was placed before a three-judge Bench, to re-examine the earlier order, thus resulting in the present judgment which revisited and softened the earlier directions.

The Court ultimately adopted a *balanced approach*. It did not allow blanket detention of stray dogs, but made it clear that the *ABC Rules* must be followed, with exceptions only for aggressive or rabies-suspected dogs who should not be released for public safety reasons.

Legal Issues

1. Whether stray dogs can be *permanently detained* in shelters, contrary to **Rule 11(19)⁵, ABC Rules 2023**.
2. Whether court directions can *override* the ABC Rules, 2023.
3. Whether individuals and welfare volunteers may face criminal action for *non-compliance*.
4. What is the extent of municipal duty to protect public safety under **Article 21**.

Arguments of the Parties

Arguments on behalf of the Animal Welfare Groups: (Petitioners)

Animal welfare organisations argued that the earlier order to permanently detain stray dogs went against the **Animal Birth Control Rules, 2023**. They pointed out that **Rule 11(19)** clearly says that dogs must be sterilised, vaccinated, and then released back into the same area. According to them, mass detention violated law framed under the *Prevention of Cruelty to Animals Act, 1960*, and ignored evidence which shows that sterilisation and release is the most effective method of controlling stray dog populations.

They further contended that permanent confinement of healthy dogs would amount to cruelty and violate constitutional values of compassion towards animals under **Articles 48A and 51A(g)** of the Constitution. The petitioners also expressed concern that the earlier order would lead to harassment of animal feeders and volunteers who play an important role in vaccination, monitoring, and humane care. In their view, public safety is important, but it must be handled through humane methods rather than extreme measures.

⁵ Animal Birth Control Rules, 2023, Rule 11(19), G.S.R. 193(E) (India).

Arguments on behalf of the State and Municipal Authorities: (Respondents)

The State and municipal authorities argued that the rising number of stray-dog attacks posed a serious threat to public safety, especially to children and elderly citizens. They submitted that protecting human life is a primary obligation under *Article 21*, and extraordinary measures were necessary due to increasing cases of rabies and dog bites. According to them, existing mechanisms under the ABC Rules had failed due to poor implementation, lack of cooperation, and limited resources.

The authorities also claimed that feeding stray dogs in public places often increased aggression and made neighbourhoods unsafe. They supported stronger control measures, including detention in serious cases, to restore public confidence. In their view, when public health and safety are at risk, human life must be given priority, even if stricter steps are required.

Court's Decision

In its earlier order of 11 August 2025⁶ The Supreme Court reacted urgently to the child-death incident by directing that all stray dogs in the NCR be captured, sterilised, vaccinated and **not released back onto the streets**, with contempt action for non-compliance. This interim order focused on public safety under Article 21, but it conflicted with the *ABC Rules, 2023*, which required release after treatment and placed heavy practical burdens on authorities. Because the directions were seen as too extreme, the matter was later referred to a larger Bench, which modified the order and adopted a more balanced approach.

In its final decision, The Supreme Court ***changed the earlier order*** and took a more balanced view. It said that stray dogs must be sterilised, vaccinated, and then released back into the same area, as required by the ABC Rules, 2023. However, it made an important ***exception*** by stating that dogs that are ***rabid or aggressive*** should not be released and must be kept separately for public safety.

⁶ *In re City Hounded by Strays, Kids Pay Price, 2025 INSC 1018, Writ Petition (Civil) No. 5 of 2025 (Aug. 22, 2025).*

The Court also directed that every municipal ward should have proper feeding zones for stray dogs so that feeding happens in an organised way. It ordered the creation of helplines for people to report issues and asked local bodies to file reports showing what steps they have taken and what facilities they have.

The Court expanded the case to apply to the whole country and included all States and Union Territories, bringing similar cases from High Courts under its supervision to ensure uniform action. It also required animal-welfare groups and petitioners to contribute funds ranging from ₹25,000 to ₹2,00,000 to support dog-care facilities. At the same time, the Court recognised India's constitutional duty to show compassion to animals (*Articles 48A & 51A(g)*⁷), and stressed that courts cannot ignore statutory law or practical limits. It introduced feeding zones, helplines, and compliance reports, applied the ruling nationwide, and asked NGOs to assist financially.

Overall, the Court chose a balanced, humane, and workable approach that protects both people and animals

Analysis

Stray dogs have long been part of India's streets, communities, and cultural emotions. Many of us have grown up feeding them, naming them, and seeing them as loyal companions, after all dogs are often called *a man's best friend*. Animal lovers' concerns are not misplaced; dogs, like humans, deserve dignity, compassion, and protection under the law. The ABC Rules, 2023 are founded on that humane principle.

However, affection cannot overshadow reality. When stray populations rise unchecked, and when rabies-infected or aggressive dogs endanger children, elders, and vulnerable citizens, a line is crossed. No matter how deeply we care for animals, **human life and safety must remain paramount**. The Court, in this case, recognized that delicate balance by neither demonising dogs nor ignoring public fear and tragic deaths.

The earlier order, though well-intentioned, leaned towards an extreme approach by prohibiting the release of all stray dogs, which, in practice, could have created chaos and risked undue cruelty.

⁷ INDIA CONST. arts. 21, 48-A, 51-A(g).

The Court's decision strengthens animal-care laws and offers public protection at the same time. It will likely guide future plans on how cities manage stray dogs and help India move towards better rabies-control and responsible animal care.

Critical Analysis

Strengths and Weaknesses:

The judgment takes a fair middle path by protecting both public safety and animal rights. It corrects the earlier strict order and ensures decisions stay within legal and humane limits. The Court also brought in *nationwide accountability* by asking all States and UTs to follow the ABC Rules and file reports. Additionally, asking petitioners to contribute funds helps support shelters and improves infrastructure instead of leaving everything to the government.

However, putting this order into action will not be easy. Many municipal bodies lack shelters, vets, and staff, so *implementation may be difficult*. The rules on feeding may also unintentionally trouble genuine animal feeders. Further, the judgment does not clearly define what counts as an “aggressive dog,” which may cause confusion.

Suggested Alternative Approach:

To improve the system, sterilisation and vaccination drives should be done faster, with more veterinary support. People should be educated about dog-bite safety and rabies prevention. These efforts could also be linked to a national rabies-control mission. Instead of penalising animal lovers, authorities should involve RWAs and NGOs to help monitor and manage organised and safe feeding.

Conclusion

This judgment takes a fair and sensible approach to dealing with stray dogs in India. It avoids extreme action, follows the existing laws, and shows that we can protect people while still being kind to animals. While implementation may still be challenging, the Court has offered a thoughtful and realistic approach that protects people without being cruel to animals.

In essence, the Court has walked the tightrope wisely. It safeguarded Article 21 rights of citizens while honouring India's legal and moral duty to protect animals. The judgment acknowledges love, empathy, and coexistence, but also reminds us that **coexistence cannot come at the cost of human safety**. It is a balanced and humane step forward not towards a “stray dog-free” India, but towards a safer and more responsible one.

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