

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.437 OF 2015

Pravin s/o Vitthal Kamble,
Age-49 years, Occu:Private Service,
R/o-Swaraj Apartment, Wakodi Phata,
Nagar-Solapur Road, Ahmednagar.

...PETITIONER

VERSUS

The State of Maharashtra,
Through its Secretary,
Home Department, Mantralaya,
Mumbai,
and others.

...RESPONDENTS

...

Mr. A.N. Nagargoje Advocate for Petitioner.

Mr. A.S. Shinde, A.P.P. for Respondent Nos.
1 to 6.

Mr. R.K. Temkar Advocate for Resp. Nos. 8 to 10.

...

**CORAM: A.B. CHAUDHARI AND
INDIRA K. JAIN, JJ.**

DATE : 7TH OCTOBER, 2015

ORDER :

1. Learned counsel for the Petitioner
submits that the Petitioner has not attended

today's date and the Petitioner is at Solapur.

2. In the morning, we posted the matter in the Chamber at 2.30 p.m. Accordingly, at 2.30 p.m. the girl - Prashansa Pravin Kamble is produced before us by the officials of the Observation Home. We have interviewed the girl. We have also interviewed Ashwin Raju Kedari and his father Raju Vishnu Kedari, Respondent Nos.7 and 8 respectively. As per the averments in the Petition itself we find the date of birth of girl - Prashansa Pravin Kamble is 6th October 1997, meaning thereby she has attained the age of majority, namely 18 years. We have asked the girl as to whether she is ready to go to her father but she has stoutly refused by saying that she would not like to go to the Petitioner or her mother. On the contrary, she stated that she having completed 18 years of age, is free to decide where she should go.

3. Having heard the parties and counsel for the parties as above, we find that the girl having attained the age of majority i.e. 18 years, her choice would prevail and therefore we make the following order:-

O R D E R

(I) Criminal Writ Petition No.437 of 2015 for the reliefs claimed in the Petition is declared as infructuous and is dismissed.

(II) The girl, namely - Prashansa Pravin Kamble is free to apply to the authorities of Observation Home today or tomorrow or as per her choice for setting her at liberty in view of her attaining the age of 18 years.

(III) No order as to costs.

(IV) Registrar (Judicial) to inform the concerned Observation Home accordingly.

(V) The parties to act upon authenticated copy of this order.

. Authenticated copy of this order be provided to the requesting parties.

[INDIRA K. JAIN, J.]

asb/OCT15

[A.B. CHAUDHARI, J.]