

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 4663 OF 2015
IN
CRIMINAL WRIT PETITION NO. 860 OF 2015**

...

THE STATE OF MAHARASHTRA
VERSUS
SAVITA W/O KACHRU TIRGUL

...

Advocate for Petitioner / APP: Mr. S.B.Pulkundwar
Advocate for Respondent: Mr. Mohit R. Deshmukh

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**CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: August 28, 2015**

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PER COURT:

1] Heard the learned APP appearing for the Applicant – State, and the learned counsel appearing for the non-applicant i.e. original petitioner.

2] By order dated 26th August, 2015, this Court directed the Investigation Officer to complete the investigation about the age of Pravini @ Sonu within 15 days from 26th August, 2015, after allowing the petitioner to place on record the documents regarding the age. The learned APP, on instructions, made a statement before this Court that, till the investigation about the age is complete, Pravini will be kept in Government Remand Home at Beed or at Ambajogai and her proper care will be taken.

3] The learned APP has tendered across the bar Criminal Application No.4663 of 2015 for modification of the order dated 26th August, 2015, on the ground that, since Pravini is in advanced stage of pregnancy, the concerned Officer of Remand Home at Beed and Remand Home at Ambajogai are not willing to keep her in Remand Home.

4] The learned APP, on instructions of the Investigating Officer, who is present in this Court, submits that, the order dated 26th August, 2015, may be modified, and the Investigating Officer may be permitted to keep Pravini @ Sonu in the Civil Hospital at Beed.

5] In the light of the submissions of the learned APP, we modify the order dated 26th August, 2015 and allow the Investigating Officer to keep Pravini in Civil Hospital, Beed.

6] However, the learned APP submits that, family member or relative should be there in Hospital to take her care. In that respect, we grant liberty to the Investigating Officer to approach the Court of Chief Judicial Magistrate at Beed, for ascertaining wishes of Pravini as to who should be there in the Hospital to take her care. The concerned Court to ascertain from the Pravini and pass the appropriate order in that respect.

7] Keeping in view peculiar facts of the case, we hope and trust that, the Civil Surgeon, Civil Hospital, Beed, will immediately accept the request of the Investigating

Officer to keep Pravini in Civil Hospital at Beed for the purpose of her delivery.

8] Criminal Application stands disposed of accordingly.

9] Parties to act upon an authenticated copy of this order.

Sd/-

[A.M. BADAR, J.]

Sd/-

[S.S. SHINDE, J.]