

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Court's or Judge's orders.
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CRIMINAL WRIT PETITION NO. 1394 OF 2014

DHARMESH S/O MADANLAL KALDA
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

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 Advocate for Petitioner : Mr. Choudhari N. L.
 APP for Respondent Nos.1 and 2: Mr. K. S. Patil.
 Advocate for Respondent Nos.3 to 6: Mr. Tausif Ansari
 And Mr. A. A. Khande.

CORAM: T. V. NALAWADE &
SMT. I. K. JAIN, JJ.
DATED: 18th MARCH, 2015.

PER COURT:

1. Both sides present. The learned counsel for Respondent Nos.3 to 6 has produced a copy of order made by the Division Bench in proceeding Writ Petition No.4343 of 2014. Relevant portion from order dated 25th November, 2001 is as under:

"3. It is the case of the Petitioner that he and Respondent No.2 got married at Malegaon. Petitioner has annexed copy of Nikahnama and other documents to the Petition. Petitioner and Respondent No.2 have completed 18 years of age;

Respondent No.2 has willingly married the Petitioner. Petitioner is pursuing his education in engineering. Respondent No.2's father (Respondent No.3) did not approve of this marriage since Petitioner is Muslim and he is Hindu. He, therefore, complained to the Dhule City Police Station, alleging that Petitioner had kidnapped Respondent No.2. Therefore, said FIR is registered for the offences punishable under Section 363, 366 read with 34 of the Indian Penal Code. Respondent No.2 is present in the Court along with her advocate. He has submitted that Respondent No.2 has willingly married Petitioner and she is above 18 years of age. Respondent No.2 has stated that she has willingly married the Petitioner and she has also filed the affidavit-in-reply, stating the said facts on oath."

2. The present proceeding is filed as a habeas corpus and direction is sought for the production of same person viz. Ravina Dharmesh Kalda. In view of the aforesaid observations made by the other Court at principal seat the present petition does not survive. The petition is disposed of accordingly.

[SMT. I. K. JAIN, J.] [T. V. NALAWADE, J.]

Dt.18/03/2015
ans/1394