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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3901 OF 2014

Mohd. Aslam Mohd. Hanif Idrishi.

... Petitioner.

V/s.

The Senior Inspector of Police & Ors.

... Respondents.

Mr. Satyaram Radheshyam Gaud for the Petitioner.

Mrs. S.D. Shinde, APP for the State.

**CORAM : P. V. HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

Date : 10th February 2015.

P.C. :-

This petition has been filed by the Petitioner praying for issuance of a Writ of Habeas Corpus on the allegations that Respondents No.6 has illegally detained his wife i.e. Respondent No.5 and their minor daughter named 'Kumkum'. Pursuant to the notice issued by us, detinue Respondent No.5 i.e. wife of the Petitioner alongwith minor child was present in the Court. In the presence of the learned Counsel for the Petitioner and the learned APP, we have recorded the statement of Respondent No.5. Respondent No.5 has categorically stated that she has not been detained against her will by Respondent No.6. According to her, she had been driven out of the house by the Petitioner and therefore, was residing initially with Respondent No.6 and presently is residing at the house of her uncle at Goregaon. In the light of the statement of Res No.5, we find that no writ of habeas corpus can be issued.

We, accordingly, dismiss this Petition. In the circumstances, there shall be no order as to costs.

(DR. SHALINI PHANSALKAR-JOSHI, J.)

(P.V. HARDAS, J.)