

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4371 OF 2015

Anis Fatima Kasim

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr. Kalpesh Patil i/b. Mr. Vikas Kolekar, advocate for the petitioner.
Mr. J. P. Yagnik, APP for the the State.

**CORAM : RANJIT MORE &
V. L. ACHLIYA, JJ.**

DATE : 14th DECEMBER, 2015.

P. C. :

Heard Mr. Patil, learned counsel for the petitioner and Mr. Yagnik, learned APP for the State.

2. The petitioner by filing this petition is seeking issuance of writ of habeas corpus directing respondent No.1 to immediately produce her daughter aged 16 years before this Hon'ble Court.

3. The petitioner herself has filed FIR against respondent Nos. 2, 3 and 4 for the offences punishable under Sections 363, 366A, 380 read with Section 34 of the Indian Penal Code, 1860. A copy of the said FIR is annexed at "Exhibit B". In her FIR, she has stated that her daughter's age as per the school leaving certificate is 21 years and she

got information that her daughter is staying along with respondent No.2 at Haiderpur, District Jaunpur, Uttar Pradesh. The statement further reveals that she along with police met her daughter thereafter and the police also recorded the statement of her daughter, wherein the daughter told the police that she has accompanied respondent No.2 voluntarily and, thereafter, she has married with respondent No.2 and is now staying at his village voluntarily.

4. In the above circumstances, the petition for issuance of writ of habeas corpus is not maintainable. The petition is, accordingly, dismissed.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]