

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

CRI. WRIT PETITION NO. 4459 OF 2015

Mrs. Shobha Umesh Shinde ... Petitioner.

V/s.

The State of Maharashtra ... Respondent.

Ms. Vrishali Raje a/w. G.H. Khan, Advocate for the Petitioner.
Mrs. M. M. Deshmukh, APP for Respondent -State.

CORAM : RANJIT MORE & A.V.NIRGUDE,JJ.

DATED : 26th NOVEMBER, 2015.

P.C. :

1 Heard Ms. Vrishali Raje, learned counsel appearing for the petitioner and Mrs. Deshmukh, learned APP for the State.

2 By this petition, the petitioner seeks a writ of Habeas Corpus, directing the respondent to search and produce the petitioner's minor son by name Yogesh Kishore Shinde. The learned counsel for the petitioner contended that Yogesh is 17 years old and that earlier he was kidnapped by Sarvodave family on 20th July, 2015 and, thereafter, an FIR was registered by Shahu Nagar Police Station on 01st August, 2015 against unknown persons. During the investigation of the FIR, son Yogesh was traced in the Sarvodave family and he was handed over to the petitioner on 26th August, 2015. The

counsel further contended that subsequently again the Sarvodave family kidnapped Yogesh and the police are not registering the FIR. Learned counsel positively asserted that Yogesh is kidnapped by Sarvodave family .

3 The learned APP makes a statement that if the petitioner approaches the Shahu Nagar Police Station, an FIR would be registered and appropriate action would be taken against the accused persons. Statement is accepted.

4 In the above circumstances and when especially the Petitioner, the mother of minor Yogesh, asserted that the child is kidnapped by the Sarvodave family, we grant liberty to the petitioner to approach the Shahu Nagar Police Station and file a report. In the event, such a report is filed, the Shahu Nagar Police Station shall take appropriate action. This exercise shall be done by Shahu Nagar Police Station, as expeditiously as possible.

5 Subject to above directions, the petition stands disposed of.

6 All parties concerned to act on an authenticated copy of this order, issued by the registry.

(A.V.NIRGUDE,J.)

(RANJIT MORE,J.)