

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 473 OF 2016**

PATHAN SHAHRUKH KHAN S/O RAFIQ KHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner :Mr. S.S. Kazi
GP for Respondent/State: Mr. S.G. Salgare

...

CORAM : S.S. SHINDE & V.K. JADHAV, JJ.
Dated: April 22, 2016

...

PER COURT :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the Respondent/State.

2. In pursuant to the order dated 20th April, 2016, the girl namely Anuja Govindsing Bhisen is produced before this Court by Sainath Dadarao Avhad, Assistant Police Inspector, Police Station, Itwara, Nanded. The Assistant Police Inspector is accompanied by two lady police officials namely Ms. Pranita Balasaheb Gaikwad, Police Sub-

Inspector and Ms. Archana Sadanand Dhuri, Police Constable and one Sadashiv Chhandar Dhakane, Police Sub-Inspector.

3. This Court interacted with said girl namely Anuja Govindsing Bhisen and on interaction, she stated that, on her own, without any coercion or pressure of Respondent No.3, or any other relatives, she stayed in the house of her parents and also uncle at Hyderabad. She further stated that, even she went to attend one interview so as to get the appointment on the post of teacher. She stated that, she is major and her age is 21 years. According to her, neither she was pressurized or detained by Respondent No.3 or other family members. She also stated that, there is no threat to her life from her parents. However, she stated that, she does not want to stay in Mahila Sudhar Gruh.

4. Upon considering the pleadings/ grounds taken in the Petition, additional affidavit filed by the petitioner, and also other documents placed on record, what we can gather from record, we are of the opinion that, girl Anuja Govindsing Bhisen, daughter

of Respondent No.3 was neither illegally detained nor any pressure was exerted on her during her stay with the parents or her uncle at Hyderabad.

5. The learned counsel appearing for the petitioner submits that, this Court may find out the wishes of said girl – Anuja about whether she wants to go to the house of the petitioner or wants to stay with her parents. In our opinion, since the girl is major and admittedly her marriage is not taken place with the petitioner, it is for her to decide, as per her wish and will, where she should stay in future.

6. In that view of the matter, girl Anuja Govindsing Bhisen is produced before this Court and on interacting with her, she has stated that, neither she was pressurized nor detained by Respondent No.3, as alleged in the Petition.

7. With the above observations, the Petition stands disposed of. Anuja Govindsing Bhisen is free to move as per her wish, since she is major. She be set at free. However, the Police Personnels shall grant her

necessary protection.

8. The parties to act upon an authenticated copy of this order.

(V.K. JADHAV, J.)

(S.S. SHINDE, J.)

SGA