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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3099 OF 2014

Smita Savla

..Petitioner.

V/s.

State of Maharashtra and Ors.

..Respondents.

Ms.Roshini M. Dandekar for the petitioner.

Mrs.S.V.Sonavane, APP for respondent-State.

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

DATED : 1ST FEBRUARY, 2016

P.C. :-

1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petition is filed seeking directions to respondent Nos.1, 2, 3 and 4 to produce respondent No.7 before this Court.

3. The petitioner and Respondent No.5 are the daughters of respondent No.7 and respondent No.6 is the husband of respondent No.5. The petitioner herself has filed a rejoinder. At page 73, she has annexed the statement of

respondent No.7 recorded by the police on 18th August, 2014. The statement reveals that respondent No.7 of her own is residing along with respondent Nos.5 and 6.

4. Be that as it may, Ms.Sonali R. Mulik, police sub-inspector of Malad police station, Mumbai has also filed an affidavit dated 6th April, 2015 wherein in paragraph 6, she has made a statement that respondent No.7 has not been illegally detained by her daughter and son-in-law, namely respondent Nos.5 and 6. Record reveals that reveals that respondent No.7 of her own is residing with respondent Nos.5 and 6.

5. In that view of the matter, no question would arise for issuing a writ of Habeas Corpus. The petition is devoid of any merits and the same is accordingly dismissed.

(V.L.ACHLIYA, J.)

(RANJIT MORE, J.)