

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

CRIMINAL WRIT PETITION NO.4374 OF 2014

Bhimrao Narayan Panpatil

.. Petitioner

V/s.

The State of Maharashtra & Anr.

.. Respondents

.....
Mr. R. K. Mendadkar a/w. Mr. Chintamani Bhangoji, Advocate for
the Petitioner.

Mr. J. P. Yagnik, APP for the Respondent – State.

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**CORAM : NARESH H. PATIL AND
PRAKASH D. NAIK, JJ.**

DATED : SEPTEMBER 26, 2016.

P.C. :

Not on Board. Taken on Board.

2 The Petitioner approached this Court in the year 2014. The prayer is for issue of writ of Habeas Corpus directing the respondent no.2 to produce his minor grand daughter namely Kumari Mrunali Manoj Panpatil. The Petitioner had filed a complaint on 25th April, 2014 on which a FIR No.143 of 2014 was registered in Thane Railway Police Station. The railway police was investigating the missing of the minor girl. FIR was registered against unknown person.

3 Number of times the matter was adjourned. Railway police submitted reports from time to time but the girl was not traced out.

4 By an order dated 29th August, 2016 we directed Commissioner of Police, Mumbai, Railway (Central Division) to take assistance from Crime Branch, Mumbai. Crime Branch, Mumbai was directed to extend all possible assistance to the Railway Police. Learned APP Shri Yagnik mentioned the matter in the morning session for taking the matter on board due to urgency. In the first sessions the matter was taken. Learned APP on instructions submitted that the missing girl is traced out with the help of the Crime Branch Unit-5, Mumbai on 24th September, 2016. She was admitted in the Bal Sudhar Griha, Bhiwandi, District - Thane. It was submitted that the minor grand daughter of petitioner is present in the Court. The matter was taken up in the first session. Learned counsel appearing for the petitioner, the petitioner in person were present. On request the girl was briefly interviewed by us in chamber in presence of both the learned counsel and Court Shirestedar. The girl expressed her desire to go back to the petitioner, her grand father. She did not express any apprehension that her grandfather would ill-treat her

after going back to him. But, at the same time, she expressed her desire to join company of a boy as his wife after she attains age of majority in the month of March 2017. We do not express any opinion on this. The Petitioner willingly accepted the desire of the minor grand daughter to the extent of she being willing to reside with him. He stated that after she completes age of majority, appropriate decision of future course of action with consent of the girl would be taken. We leave it to the parties to take appropriate decision.

5 We have noticed that within a short span the DCB, CID, Unit - 5 Mumbai located the whereabouts of the missing girl. We record our appreciation for the same. The purpose for filing of the petition is over.

6 We direct the Superintend, Bal Sudhar Griha, Bhiwandi, District - Thane to hand over custody of Kumari Mrunali Manoj Panpatil in favour of the petitioner Bhimrao Narayan Panpatil in the presence of the concerned officials of the Crime Branch after necessary identification.

7 Writ petition is disposed of accordingly.

8 Parties to act upon an authenticated copy of this order.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)