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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4752 OF 2015

Darshan Kailash Bhalerao

..Petitioner.

V/s.

The State of Maharashtra Ors.

..Respondents.

Mr.Ajit Kenjale i/b. R.L. Dharap for the petitioner.

Mrs.U.V.Kejriwal, APP for respondent-State.

Mr.Rai Bakkar for respondent No.4.

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

DATED : 3RD MARCH, 2016

P.C. :-

1. Heard learned counsel for the petitioner, learned counsel for respondent No.4 and learned APP for the State.
2. The petition is filed seeking direction to the respondents to produce Sonu before this Court.
3. The petitioner claims that Sonu and he were in love relation and they married in the year 2013. In order to support his contention, the petitioner has annexed photographs at page 13 and

report of the medical examination of the victim girl. Both the documents will not further the petitioner's case that said Sonu is legally wedded wife.

4. Respondent No.4, the grand-mother of Sonu, is present today in the Court. She submits that earlier F.I.R. bearing C.R. No. 508/2013 was registered with the Dharavi police station, Mumbai on 18th December, 2013 against the petitioner for offence punishable under sections 363, 366, 376 read with 34 of the Indian Penal Code and under sections 4, 8 and 12 of the Protection of Child Sexual Offences Act, 2012. She also states that the date of birth of Sonu is 24th July, 1997. Her contention is corroborated by the birth certificate annexed by the petitioner himself at page 31. If that be so, the petitioner could not have married Sonu in the year 2013 inasmuch as, she was minor and she became major only after 24th July, 2014.

5. That apart, respondent No.4 states that her grand daughter Sonu is married at her native place and she is staying with her husband.

6. In the above circumstances, we are not inclined to entertain the petition and the same is dismissed.

(V.L.ACHLIYA, J.)

(RANJIT MORE, J.)