

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [APL] No.792 of 2015

(Shashank Rushikumar Chandrakar

vs.

State of Maharashtra, through P.S.O. Ranapratap Nagar, Nagpur and another)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.K. Bhangde, Advocate for the Applicant.
Shri P.V. Bhoyar, A.P.P. for Non-Applicant No.1.
Shri U.P. Dable, Advocate for Non-Applicant No.2.

CORAM : B.P. DHARMADHIKARI AND
V.M. DESHPANDE, JJ.

DATE : 28th JANUARY, 2016.

Heard Advocate Shri Bhangde for the applicant,
learned A.P.P. Shri Bhoyar for non-applicant No.1 and Advocate
Shri Dable for non-applicant No.2.

In complaint lodged on 05/07/2015, non-applicant
No.2 had disclosed age of his daughter allegedly kidnapped to be
19 years. A marriage certificate has also been produced before
this Court and during investigation, the Police Station Officer
has also collected that evidence. Thus, on the basis of document
and statement, the fact of marriage of applicant with major
daughter of non-applicant No.2 is also found to be proved.

It appears that earlier there was a *habeas corpus*
petition filed by non-applicant No.2 and the applicant as also
daughter of non-applicant No.2 i.e. wife of applicant, were

produced before this Court for verification. After verification, the *habeas corpus* petition was disposed of.

Non-applicant No.1 has also filed reply along with Annexure 'R-1' i.e. copy of order passed by Chhattisgarh High Court in WPCR No.141 of 2015, dated 10/07/2015 extending interim protection to the applicant and his wife.

In this situation, it is apparent that efforts of non-applicant No.2-father to initiate action under Section 363 of Indian Penal Code against the applicant is misconceived.

We accordingly make rule absolute in terms of prayer clause (a).

Criminal application is thus allowed and disposed of.

No costs.

JUDGE

JUDGE

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