

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3177 OF 2016

Tilakdhari Ramjit Verma	..Petitioner
Versus	
The State of Maharashtra and ors.	..Respondents

Miss. Radhika Samant i/b.Mr.Pradeep Havnur, advocates for the petitioner.
Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

**DATE : 16th FEBRUARY, 2017.
(In Chambers)**

P. C. :

Heard learned counsel and learned APP appearing for the respective parties.

2. In pursuance of the order dated 15th February, 2017, the officers of Vakola Police Station have secured the presence of parents of boy Sagar Pandey. Girl Sandhya and her parents are also present before us. We have had separate interactions with the parents of boy and the parents of girl. We also had interaction with girl Sandhya. Boy Sagar Pandey is in judicial custody in connection with CR No. 266 of 2016 registered with Vakola Police Station for the offence punishable under section 363 of the Indian Penal Code, 1860.

3. Girl Sandhya stated before us that she on her own volition had accompanied boy Sagar Pandey to Bareilly and both of them were in love relationship. She expressed her desire to stay with boy Sagar Pandey. Parents of boy Sagar state that since their son Sagar and girl Sandhya are in love relationship, they have no objection for their marriage. They further state that they will accept the marriage between Sandhya and Sagar and treat Sandhya as their own daughter.

4. Parents of the girl also state that since their daughter voluntarily accompanied boy Sagar and they have stayed together for 9 months at Bareilly, they have no objection if their daughter gets married with boy Sagar. The only anxiety they expressed is that their daughter should be treated well by Sagar, his parents and other family members. On this agitation, parents of Sagar state that they will treat Sandhya well and will allow her to pursue her further education. Statement is accepted.

5. Parents of girl Sandhya, i.e. petitioner and his wife present before us, expressly state that in above circumstances they will give no objection for quashing CR No. 266 of 2016 lodged against boy Sagar with Vakola Police Station, in the event Sagar files a writ petition for quashing

the said CR invoking the jurisdiction of this Court under Article 226 of the Constitution of India and section 482 of the Code of Criminal Procedure, 1973. Statement is accepted.

6. Girl Sandhya expressed that she wants to go with her parents, and after her marriage with boy Sagar she will cohabit with Sagar. In pursuance of order dated 15th February 2017, the Petitioner and his wife has taken custody of Sandhya for overnight stay from Childrens' Observation Home, Dongari. We allow the Petitioner to retain the custody of his daughter Sandhya.

7. In above circumstances, petition for habeas corpus is worked out and the same is accordingly disposed of.

8. In order to enable boy Sagar to file writ petition for quashing CR No. 266 of 2016, we stay the investigation into the said CR for the period of four weeks.

[DR. SHALINI PHANSALKAR-JOSHI]

[RANJIT MORE, J.]