

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 247 OF 2017
IN
CRIMINAL WRIT PETITION NO. 3177 OF 2016

Tilakdhari Ramjit Verma	.. Petitioner
V/s	
State of Maharashtra & Ors.	.. Respondents

Mr. Pradeep Havnur for the petitioner.
Mr. J.P. Yagnik, AGP for the State.

**CORAM: S.C. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 5TH APRIL 2018

P.C.:

This application is entirely misconceived. If the petitioner was not confident and was never trusting the boy with whom his daughter has left the house, then, he should not have agreed to an order being passed for disposing of the petition.

2. Having allowed to pass not one but two orders, now it is stated that the boy with whom the daughter of the petitioner-applicant was supposed to reside as his wife, is not fulfilling his commitment. Let therefore all, including the daughter, approach the competent Civil and/or Criminal Court. They can obtain such relief

including the direction that there was a valid and subsisting relationship between the daughter of the petitioner Sandhya and Sagar Pande. The petitioner has very clearly stated in the memo of the petition itself that his daughter was born on 10th April 2000. She was about 16 years of age at the date of institution of the petition, but during the pendency it was discovered that she ran away from home with the boy Sagar. In the circumstances, this Court disposed of the petition and by recording that Sagar was willing to look after the daughter of the petitioner, take care of her as his wife. If that has not worked itself out and to the satisfaction of all concerned including the petitioner's daughter, they are not remediless. They cannot claim the relief of habeas corpus. The prayer for habeas corpus as claimed could not have been granted in the circumstances recorded in the earlier orders. The application seeking setting aside of that order, as observed above, is entirely misconceived.

3. Keeping all legal remedies and to be availed of, this application is disposed of. Needless to clarify that the competent Civil and/or Criminal Court will pass such orders as are permissible in law uninfluenced by the disposal of this petition.

(PRAKASH D. NAIK, J.)

(S.C. DHARMADHIKARI, J.)