

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2374 OF 2018

Umang Nanda

.. Petitioner

Versus

The Commissioner of Police
and others

.. Respondents

...

Mr.Hassnain Kaazi Sayyed i/b Swapnil & R.S.Kazi for the
petitioner.

Mr.Deepak Pande for respondent no.3.

Ms.M.H. Mhatre APP for the State.

**CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 22nd JUNE 2018

P.C:-

1 On the earlier occasion, after hearing both sides, the
following two orders were passed :

ORDER DATED 6th JUNE 2018

1 At the request of the Court, Ms.Mhatre-APP
has accepted notice and waives service on behalf of
the respondents other than respondent nos.3 to 5. At
our further request, Ms.Mhatre has agreed to bring
to the notice of the police station concerned that it
should depute a lady police official to meet the

Tilak

respondents, particularly Sonam Singh, who is presently stated to be lodged at a Correction Home, but on the petitioner's own showing, the petitioner has arranged for a residential accommodation for her in Mumbai and address of the said residential place is set out in para 15 of this petition. Let the concerned police station depute this lady police official, who will visit this premises and ascertain the whereabouts of the lady stated to be the wife of the petitioner.

2 Stand over to 20th June 2018.

ORDER DATED 20th JUNE 2018

1 After the earlier order, a lady police official deputed by the in-charge of the concerned police station visited the place where the lady Sonam Shivratan Singh, aged 23 years, is stated to be lodged. After tracking her to this rehabilitation centre, where she is lodged at Nashik, the lady police official has recorded her statement. We have perused the report of the concerned police station so also the original statement of the said lady Sonam.

2 Let a copy of this report of the police station and the statement be handed over to both the Advocate for the petitioner and respondent no.3 Mrs.Rakhi Singh, stated to be the mother of this lady Sonam.

3 As per the request made by the learned Advocate appearing for the petitioner, we post this matter on Friday, 22nd June 2018 on the Supplementary Board.

4 The petitioner's Advocate states, on instructions, that the petitioner is still ready and

willing to take care of the said Sonam and they intend to marry and settle down in life. It is in view of this statement made on instructions that we are handing over a copy of the statement to the petitioner's Advocate and equally to the matter of the said Sonam.

2 Pertinently after the order of 20th June 2018, an opportunity was given to the petitioner's Advocate to speak to the petitioner and take instructions particularly on the point whether the petitioner is ready and willing to marry the lady Sonam, aged 26 years, and he would meet her and persuade her to reside with him. On instructions from the petitioner, the petitioner's Advocate states today that the petitioner wishes to continue the relationship and still cares for Sonam and loves her immensely. He wants to marry her. Within a period of two months from today, he will formalize the relationship. For that purpose, he says that an opportunity be given to him to meet Sonam and persuade her to join his company.

3 On such a statement being made by the petitioner's Advocate, so also in the light of the statement made by Sonam voluntarily to the police, it is evident that she is a grown up

lady. She has made her choice. She does not wish to go back to her mother. She would rather like to settle down in life with the petitioner. In such circumstances, we clarify that the petitioner is free to go and meet Sonam at the Rehabilitation Centre at Nasik and persuade her to join him. Being a grown-up lady of 26 years and capable of deciding and chartering her course of life, it would be entirely for her to take up the final call and decision. If she wishes to accompany the petitioner and thereafter settle down in life with him, then, all concerned including the Rehabilitation Centre would assist both the petitioner and the said Sonam, so as to carry forward their decision. The Advocate appearing for Mrs.Rakhi Singh (respondent no.3) states that respondent no.3 is the mother of the said Sonam and she has no objection in Sonam settling down with the petitioner or marrying him.

4 In the circumstances, we do not think that any writ and much less as prayed, needs to be issued.

5 All concerned shall proceed on the basis that the said Sonam has voluntarily and without any pressure or force made her choice in life. The Writ Petition has worked out itself and hence disposed of.

6 This order is passed in presence of the petitioner as also respondent no.3.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)