

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

CRIMINAL WRIT PETITION NO. 695/2019

Rushikesh S/o Jaywant Joshi,
..VS..

State of Maharashtra, through Police Station Officer, Police Station, Civil Lines, Akola and
others,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri. C. A. Lokhande, A.P.P. for the respondent No.1 and 2.
Shri. R. S. Giripunje, Advocate for the respondent No.3 to 5.

CORAM : Z.A.HAQ, AND
PUSHPA V. GANEDIWALA, JJ.

DATED : 03rd October, 2019

Heard.

By this petition under Article 226 of the Constitution of India, the petitioner has prayed that Sau. Shweta D/o Avinash Gadge, alleged to be legally wedded wife of the petitioner, be directed to be produced before this Court.

According to the petitioner, Sau. Shweta is illegally detained by respondent Nos.3 to 5.

In response to the notice issued by this Court, Sau. Shewta is produced before this Court. An affidavit sworn by Sau. Shewta is also placed on record. Respondents have also filed affidavits. These affidavits show that Sau. Shweta aged about 23 years, though admits that she got married with

the petitioner, according to her the marriage is illegal, null and void and she does not want to cohabit with the petitioner.

In the above facts, we find that the prayer made by the petitioner that custody of Sau. Shweta be handed over to the petitioner cannot be granted.

Hence, the writ petition is **dismissed**.

JUDGE

JUDGE

Kirtak