

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

81. CRIMINAL WRIT PETITION NO. 72 OF 2021

Sarita W/o Suresh Jadhav,
age 23 years occupation household
R/o Wadeghar, Kalyan Dist. Thane

...Petitioner

VERSUS

1. The State of Maharashtra
Through : The Superintendent of Police,
Aurangabad District Aurangabad
2. The Investigation Officer,
Jawahar Nagar Police Station Dist. Aurangabad

...Respondents

Mr. R.V. Gore, Advocate for petitioner

Mrs. V.N. Patil-Jadhav, Addl. Public Prosecutor for Respts./State

CORAM : T.V. NALAWADE &

M.G. SEWLIKAR, JJ.

DATE : 3rd February, 2021

PER COURT :

Heard the learned Counsel for the petitioner. The learned Counsel represents the sister of a girl, who, according to him, was minor on the date of incident. The submissions made and the contentions made in the petition show that the girl at present is in the custody of authority and she is in Children Home. The submissions made show that after the incident, the girl came to be

kept in the Children Home and that must have been done under the order of competent authority. In such circumstances, this Court cannot hold that it is illegal detention. *Habeas corpus* remedy can be used only when there is illegal detention. So, the matter is dismissed.

(M.G. SEWLIKAR)
JUDGE

(T.V. NALAWADE)
JUDGE

Madkar