

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 944 OF 2021

DASHRATH MAROTI GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. G.G. Suryawanshi, Advocate for petitioner
Mr. S.J. Salgare, APP for respondent – State
...

**CORAM : V.K. JADHAV AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 24TH NOVEMBER 2021

PC :

1. Not on Board. Mentioned. Call papers.
2. The missing girl – Savita is now brought before us. The Police Head Constable V.K. Lokhande of Police Station, Vimantal, Nanded has submitted the report. It has been stated in the report that missing girl – Savita has contacted to the Police on her own and accordingly, she is brought before the Court today. Her statement is also recorded.
3. We have interacted with the missing girl – Savita. The petitioner – Dashrath is her husband. However, according to her, she was subjected to cruelty for various reasons by petitioner – Dashrath and his family members. Respondent no. 3 – Dinesh is cousin of the petitioner. She had fallen in love with the said Dinesh. Consequently, Savita left her matrimonial home and joined the company of said Dinesh

on her own. Savita has stated her date of birth as 04-06-1996. Thus, she is 25 years of age at present.

4. We have also carefully gone through the statements of Savita recorded by the Police Head Constable V.K. Lokhande of Police Station, Vimantal, Nanded. It appears that, missing girl – Savita had left her matrimonial home due to the cruelty and beating extended to her by the petitioner and his family members. It has been also alleged by her, in her statement that the petitioner is addicted to the liquor and used to beat her under the influence of liquor. Thus, due to the continuous ill-treatment and beating, missing girl - Savita has finally taken a decision to left the matrimonial home and joined the company of the said Dinesh on her own. Missing Savita is major, 25 years of age. She is free to take her own decisions. According to her, she is neither detained by Dinesh nor subjected to illegal confinement by anyone. In view of the same, missing Savita is free to go to the place of her choice.

5. Writ petition is accordingly disposed of. Rule of *Habeas Corpus* stands discharged.

[SANDIPKUMAR C. MORE, J.]

[V.K. JADHAV, J.]

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