

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

991 CRIMINAL WRIT PETITION NO. 1028 OF 2021

**SANDIP DILIP PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Advocate for Petitioners : Mr. Niranjan Deshpande.
APP for Respondents No. 1 to 4 : Mr. S.J. Salgare.
Advocate for Respondents No. 5 & 6 : Mr. R.D. Bhalerao.

**CORAM : SUNIL P. DESHMUKH AND
NTIN B. SURYAWANSHI, JJ.
DATED : 16.09.2021**

PER COURT :

1. Pursuant to order dated 09.09.2021, respondents No. 1 to 4 have produced the person Vaibhavi W/o. Sandeep Pawar @ Vaibhavi Deepak Karpe. She is stated to be deaf and dumb. With the assistance of interpreter who is said to be a teacher in deaf and dumb School, we have interacted with her.

2. She is stated to be twenty four years old. Interaction elicited that she had voluntarily and willingly married with the petitioner who is also deaf and dumb. It has also been elicited from her that the complaint has been lodged against the husband at the instance and botheration from her parents and the statement in the complaint is not a voluntary statement. Due to parental concerns of father and

mother, she had been taken away from the petitioner – husband. However, she wants to go with the petitioner – her husband.

3. Learned counsel Mr. Bhalerao has appeared on behalf of respondents No. 5 and 6 and submits that they are concerned about the welfare of the girl and therefore, due care of the girl should be taken.

4. Learned counsel appearing for the petitioner states that the petitioner and Vaibhavi are a married couple and the petitioner will take care of Vaibhavi as would be expected from a husband. Vaibhavi has also said that she is willing to go with Sandeep – her husband.

5. In view of aforesaid, Vaibhavi is free to go with Sandeep.

6. Learned counsel on behalf of the petitioner refers to that the petitioner is native of Ahmednagar and is presently working in Bhiwandi, District Thane. He further submits that Vaibhavi be taken to her husband's native place at Post – Mogras, Taluka Akole, District – Ahmednagar, and from there she will be taken to Bhiwandi by her husband.

7. In that view of the matter, we allow the Writ Petition. Maharashtra Police shall give protection to Vaibhavi to reach her husband's place – At Post. Mogras, Taluka Akole, District – Ahemednagar.

8. Parties to act upon authenticated copy duly signed by the Court Sheristdar.

(NITIN B. SURYAWANSHI, J.)

(SUNIL P. DESHMUKH, J.)