

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.369 OF 2021

Mandira
Salgaonkar

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Alauddin Hasan Shaikh .. Petitioner
Versus
The Senior Inspector of Police,
Khadakpada Marg Police Station & Ors... Respondents
...

Ms.Tahera Qureshi with Minaz Khan for the Petitioner.

Smt.A.S.Pai, APP for the Respondent/State.

Ms.Muskan Alauddin Shaikh @ Mrs.Muskan Aman Mali produced in Court.

API Dharmendra Aware attached to Khadakpada Police Station, Thane present.

**CORAM: S.S.SHINDE &
MANISH PITALE, JJ.**

DATED : 09th FEBRUARY, 2021

PC:-

1. This petition is filed seeking direction to respondent Nos.1 to 6 to forthwith produce petitioner's daughter-Muskan Alauddin Shaikh @ Mrs.Muskan Aman Mali before this Court and further to restore her custody with the petitioner being her father and lawful guardian.
2. Pursuant to the notices issued to the respondents, API Dharmendra Aware attached to Khadakpada Police Station, Thane has produced the daughter of the petitioner before this Court.

M.M.Salgaonkar

Admittedly, she is major and her age is 19 years. She conveyed her wishes through learned Additional Public Prosecutor to this Court that she wishes to stay/reside with respondent No.6 i.e. Aman Bhimrao Mali.

3. Since the daughter of the petitioner is produced before this Court, who is major and has expressed her wish to stay with respondent No.6, purpose of filing this writ petition is served.

4. So far as the prayer of the petitioner to give custody of his daughter to him is concerned, she is major and has expressed her wish to stay with respondent No.6. She has right to move or reside at the place of her choice and, therefore, prayer of the petitioner to grant her custody stands rejected.

5. We make it clear that daughter of the petitioner, namely, Muskan Alauddin Shaikh @ Mrs.Muskan Aman Mali is free to move as per her wishes. With the above observations, the writ petition stands disposed of.

(MANISH PITALE, J.)

(S.S.SHINDE, J.)