

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.67 OF 2021

Shaikh Mohd. Abid Ayyub .. Petitioner

Vs

The State of Maharashtra & Ors. .. Respondents

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Mr. A.N. Kazi with Mr. Rizwan Khan i/b N.N. Kazi & Associates
for the petitioner.

Mr. J.P. Yagnik, A.P.P. for respondent No.1 -State.

Mr. Rohin Chauhan for respondent No.4.

Ms. Pawaskar M.S., WPC (BN-1648) attached to Naupada Police
Station, Thane, is present in the Court.

Mr. M.P. Sonawane, API attached to Naupada Police Station,
Thane, is present in the Court.

Ms. Kiran Ishwar Panchal is produced in the Court.

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

DATED : 19TH JANUARY, 2021.

P.C:-

1. As per order dated 11/01/2021 passed by this court
directing the concerned police officer to produce Ms. Kiran

AJN

Ishwar Panchal before this court, today (19/01/2021) said Ms. Kiran Ishwar Panchal is produced before this court.

2. Writ petition praying for issuance of a writ of habeas corpus has been filed by the petitioner claiming that the said Ms. Kiran Ishwar Panchal is in illegal custody and detention of respondent No.4, who is the father of said Ms. Kiran Ishwar Panchal.

3. Since the said Ms. Kiran Ishwar Panchal has been produced before this court, we interacted with her. She stated that she has been in a relationship with the petitioner – Shaikh Mohd. Abid Ayyub almost for the past five years. She is a graduate while the petitioner is pursuing his MBA course. She stated that they intend to get married. She further stated that she is aged about 23 years and, therefore, she intends to live her life, as per her wish.

4. The petitioner, who is present in the court, came forward and confirmed that he and the said Ms. Kiran Ishwar Panchal are, indeed, in a relationship for the past five years and they intend to get married. Respondent No.4 i.e. the father of said Ms. Kiran Ishwar Panchal and his wife are also present in the court. It is not disputed by them that said Ms. Kiran Ishwar Panchal is a major, aged about 23 years.

5. Since said Ms. Kiran Ishwar Panchal has been produced before this court, the purpose of filing this petition has been satisfied. The facts of the present case indicate that the parents of said Ms. Kiran Ishwar Panchal oppose her relationship with the petitioner and it is perhaps, in this background, she was allegedly taken away by them, as alleged by said Ms. Kiran Ishwar Panchal.

6. Be that as it may, we dispose of this petition in view of the fact that said Ms. Kiran Ishwar Panchal has been produced before this court by the police.

7. Since said Ms. Kiran Ishwar Panchal is admittedly a major aged about 23 years old, she is free to move as per her own wish. Nevertheless, as per the request made by said Ms. Kiran Ishwar Panchal, Mr. Sonawane, the API attached to the Naupada Police Station, Thane, who is present in the court, is directed to ensure that said Ms. Kiran Ishwar Panchal is escorted from the court premises to the destination that she desires to go.

8. The petition is disposed of in the aforesaid terms.

(MANISH PITALE, J.)

(S.S. SHINDE, J.)