

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 CRIMINAL WRIT PETITION NO. 1397 OF 2021

SANDIP VINAYAK RATHOD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
CRIMINAL APPLICATION NO. 64 OF 2022
IN CRI.WP/1397/2021

SAHEBRAO S/O MOHAN PAWAR
VERSUS
SANDEEP S/O. VINAYAK RATHOD AND OTHERS

.....
Advocate for Petitioner & Applicant : Mr. Dixit Sushant V.
APP for Respondent-State : Mr. R. V. Dasalkar
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CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 12th JANUARY, 2022

PER COURT:-

1. The applicant in criminal application no. 64 of 2022 is the informant in connection with crime no. 475 of 2021 registered with Chikalthana Police Station, Aurangabad. The petitioner in criminal writ petition no. 1397 of 2021 is the husband, who has filed the missing report about his wife in Goregaon Police Station, Mumbai. Criminal Application No. 64 of 2022 is filed to add the applicant as petitioner in Criminal Writ Petition No. 1397 of 2021.

2. In view of the above facts and for the reasons stated in Criminal Application No. 64 of 2022, the same is allowed in terms of prayer clause "A" and disposed off accordingly.

3. Heard learned counsel for the petitioners in Criminal Writ Petition No. 1397 of 2021. The wife of petitioner no.1, who is the daughter of petitioner no.2, found missing from the house at Mumbai on 21.09.2021, for which, petitioner no.1 has filed a missing report at Goregaon Police Station, Mumbai. However, petitioner no.2 has lodged a complaint at Chikalthana Police Station, Aurangabad on 07.10.2021, alleging therein that on 21.09.2021, his married daughter Sadhna had come to Girnera Tanda, Taluka and District Aurangabad from Mumbai at about 06.00 p.m. and the incident had taken place on 22.09.2021 when they were doing agricultural work in their land. It is further alleged in the complaint that the accused Nitesh Gowardhan Chavan, Krishna Mangilal Pawar and Mithun Ankush Rathod had come in the said field and forcibly took away said Sadhna (daughter of petitioner no.2) in their four-wheeler and one Pritesh Gowardhan Chavan was driving the said vehicle at the relevant time.

4. It appears that even though crime no. 475 of 2021 is registered on 07.10.2021 and even names of the accused persons are mentioned in the FIR with a specific role attributed to them, there is no further investigation and the victim is yet not traced out.

5. In view of the above, issue notice to the respondents returnable on 27.01.2022. Learned APP waives notice for the respondent-State.

6. We direct the respondents to produce the missing woman Sadhna Sandip Rathod before this Court on or before the next date.

(SANDIPKUMAR C. MORE, J.)

(V. K. JADHAV, J.)