

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 454 OF 2022

Bharti w/o Prabhakar Tayde/Ragade
Age 44 years, Occ. Household
R/o. Labour Colony, Vishwas Nagar
Near Collector, Office
DRT/25, Aurangabad
District Aurangabad

...Petitioner

versus

1. The State of Maharashtra
Through its Secretary
Home Department,
Mantralaya, Mumbai
2. The Director of General of Police
Maharashtra State, Mumbai
3. The Commissioner of Police
Aurangabad
4. The Police Inspector,
City Chowk police Station
Aurangabad
5. Rahul s/o Tanaji Tayde
Age 40 years, Occ. Advocate
R/o. Behind Pawan Ganesh Temple
Naralibag, Aurangabad
District Aurangabad

...Respondents

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Mr. Ujwal S. Patil, advocate for the petitioner
Mr. S. D. Ghayal, A.P.P. for respondent Nos. 1 to 4
Mr. M.L. Wankhede, advocate for respondent No.5
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**CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 4th APRIL, 2022**

ORAL JUDGMENT (PER V.K. JADHAV. J.) :-

1. Rule. Rule made returnable forthwith. By consent of the

parties, heard finally at admission stage.

2. The missing person viz. Prabhakar Piraji Tayde is now produced before us on wheel chair. He is also accompanied by his young son, aged 12 years. Learned A.P.P. has placed before us the police papers and the report submitted by P. S. I. Mr. Chabukswar, attached to City Chowk Police Station, Aurangabad. The concerned investigating officer has also recorded the statement of said Prabhakar Piraji Tayde. The said Prabhakar Piraji Tayde has stated before us that he is not detained by anyone. If at all there is dispute about the relations between the petitioner and said Prabhakar Tayde, it is for the parties to establish their rights before the competent Court, in accordance with law. However, since the said Prabhakar Tayde, who is brought before us has informed to us that he is not detained illegally by anyone, we direct the police to set him free forthwith.

3. Rule of habeas corpus stands discharged. Writ petition is accordingly disposed of.

(SANDIPKUMAR. C. MORE, J.)

(V. K. JADHAV, J.)

rlj/