

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 609 OF 2022

BHAGWAT ANTRAM ACHARYA

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Kamble Shirish M.

APP for Respondents/State : Mr. S. J. Salgare

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**CORAM : SARANG V. KOTWAL &
BHARAT P. DESHPANDE, JJ.**

DATE : 6th JULY 2022.

Per Court :

1. This is a petition asking for relief and direction in the nature of habeas corpus. Pursuant to the order dated 24.06.2022, the Investigating Officer has carried out the investigation and today the Petitioner's daughter is produced before the Court. We have enquired with the Petitioner's daughter about her willingness to go with the Petitioner and his wife, who are her parents. They are present in the Court. Petitioner's daughter categorically stated before us that she does

not want to go with the Petitioner or his wife i.e. her own parents. We have also interviewed the Petitioner and his wife i.e. parents as well as father-in-law and mother-in-law of the daughter of the Petitioner. We have perused the report of the Police Officer.

2. Since the Petitioner's daughter is produced before the Court, the purpose of this habeas corpus petition is served and nothing more survives in this petition. The question about her custody was answered by the Petitioner's daughter, herself. She has stated that her date of birth is 27.06.2004 and as of today, she has attained majority. She wishes to go with her father-in-law and mother-in-law. We have also interviewed her father-in-law and mother-in-law. Both of them categorically stated before us that they are willing to take responsibility of the Petitioner's daughter and they are willing to look after her welfare. In this view of the matter, the Petitioner's daughter is free to go with her father-in-law and mother-in-law as according to her, she is already married to the boy with whom she had eloped. Therefore, the Petitioner's daughter is allowed to reside with her father-in-law and mother-in-law.

3. In this view of the matter, nothing more survives in this petition.
The petition is disposed of.

[BHARAT P. DESHPANDE, J.]

[SARANG V. KOTWAL, J.]

Najeeb...