

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 813 OF 2022

AKSHAY PRABHUDAYAL JAISWAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Zia Ul Mustafa
PP & APP for Respondents/State : Mr. D. R. Kale and Mr. S. J. Salgare
Advocate for Respondent No. 4 & 5 : Mr. Rajendrraa Deshmukh, Senior
Advocate a/w Mr. Vishal Chavan i/by D. R. Deshmukh.

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

DATE : 14th JULY 2022.

Per Court :

1. This is a petition asking for relief and direction in the nature of habeas corpus. The case of the Petitioner is that he and the Respondent No.4 had decided to get married and had taken steps in approaching the Sub-Registrar of Marriages. After that from 20.04.2022, she was not in touch with the Petitioner. It is his case that he has reasonable apprehension that Respondent No.4 could be illegally detained by her mother. Expressing this apprehension, the Petitioner has approached this Court. Vide the earlier order dated 07.07.2022, we had directed

the Police Authorities to produce Respondent No.4 before the Court today.

2. Pursuant to that order, the Respondent No.4 is produced in Court today. First we interviewed her in the presence of learned Counsel for both sides as well as in the presence of learned APP. After that she was interviewed separately with Mrs. V. S. Choudhari, learned APP. At that time, Advocates for the parties were not in the chamber. On both occasions, she has categorically stated before us in presence of all these counsel that she did not want to go with the Petitioner and she preferred to stay and reside with her family and Respondent No.5, her mother. She stated that she had thought about the future seriously and she had taken a decision to stay with her family. She does not want to marry the Petitioner. She stated that she has arrived at this decision without there being any coercion, force or any pressure either physical and mental.

3. In this view of the matter, nothing further survives in this petition. The Respondent No.4 is free to go with her family.

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

[BHARAT P. DESHPANDE, J.]

[SARANG V. KOTWAL, J.]

Najeeb...