

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1117 OF 2022

FIROZ HISAMODDIN KHATIB
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Syed Masood Chand
APP for Respondent Nos. 1 to 3: Mr. Bhushan V. Virdhe.
Advocate for respondent No.4 : Mr. Mayur Salunke.

**CORAM : SMT. VIBHA KANKANWADI &
RAJESH S. PATIL, JJ.**

DATE : 30th August, 2022.

ORDER :-

1. The girl is produced before us at 2.30 p.m. We made enquiry with her in chamber in presence of the learned Advocate for the petitioner, learned APP and learned Advocate appearing for respondent No.4. Office to accept the Vakilpatra of respondent No.4.

2. Admittedly, the girl is major. Her age is 20 years. She has stated that she had gone alongwith the respondent No.4 on her own and the respondent No.4 has not confined her. In other words, she has stated that she has not been abducted and not detained. She is willingly staying with the respondent No.4. She wants to continue to stay with the respondent No.4.

3. We do not want to enter into much details about their relationship, in view of the fact that the girl is major and she is taking

education in IIIrd Semester of BBA Course; that means she is able to understand what is wrong and what is right for her. When she intends to stay with respondent No.4 as per her own choice, there is no question of sending her alongwith the petitioner. The petition deserves to be disposed of.

4. The girl has apprehended about her life in view of the fact that she is Muslim and the respondent No.4 is Hindu by religion, and in view of the apprehension that was expressed by her, the respondent No.3 can be directed to give protection to the girl as well as respondent No.4. We can direct respondent No.3 to give protection to petitioner and respondent No.4 till they desire, but that desire should be reasonable. With this, the following order is passed :-

: ORDER :

[i] The petition stands disposed of in view of the fact that no case is made out for issuing a writ of Habeas Corpus.

[ii] Respondent No.3 is directed to give protection to the girl as well as the respondent No.4 till the respondent No.4 attains the age of 21 years.

[iii] Parties to act upon authenticated copy of this order.

(RAJESH S. PATIL, J.)

(SMT. VIBHA KANKANWADI, J.)

grt/-