

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

**CRIMINAL APPLICATION NO.3308 OF 2022
IN
CRIMINAL WRIT PETITION NO.1172 OF 2022**

Mojim Aajmoddin Shaikh @ Mojim Abbas Shaikh .. Applicant

Versus

The State of Maharashtra and Others. .. Respondents

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Mr. Gaurav L. Deshpande, Advocate for the Applicant

Mr. A.M. Phule, APP for the Respondent – State

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**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 29-09-2022

PER COURT :

. The Criminal Application has been filed in a pending Writ Petition whereby a couple has moved this Court for quashment of the crime registered against the present applicant (petitioner no.2).

2. The Criminal application has been filed on the ground that by the order dated 19.09.2022, the petitioner no.1 stated to be a victim needed some protection and was accordingly granted, still, it is alleged, that she is being illegally detained in custody by the

Investigating Officer and a request is made to make him keep her present before this Court.

3. The learned APP was asked to take instructions from the Investigating Officer and on receiving such instructions on telephone, he makes an emphatic statement that the statement of the girl (petitioner no.1 in W.P. No.1172 of 2022) was recorded, wherein she expressed her disinclination to go to either her parents or to petitioner no.2 (in W.P. No.1172 of 2022). In the circumstances, she has been sent to Mahila Sudhar Gruha, Beed today i.e. 29.09.2022.

4. In view of such emphatic statement, without commenting upon the rights of the petitioners including the girl herself and keeping open appropriate remedies to them, we dispose of the Criminal Application.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)