

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2594 OF 2022****WITH****INTERIM APPLICATION NO. 2588 OF 2022**

Nazma Arif Bilakhia Nee Begum Sayyed ... Petitioner/Applicant
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr. Viqar Rajguru a/w. Ms.Khushboo Kazi, Mahima Sharma and Ms.Arshee Shaikh i/b. SA Legal Advocates & Associates for Petitioner/Applicant.
Mr. Ajay Patil, A.P.P. for Respondent-State.
Mr. M.P. Dalvi for Respondent No.4.

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.**

DATE : 26th September 2022.

PC. :

1. In pursuance of Order dated 8th September 2022, the learned A.P.P. has produced before us the original statement of Respondent No.8 dated 24th September 2022 recorded in presence of Mr.S.A. Aziz, Director of Crossroad Wellness and Mr.K.L. Chavan, Police Sub-Inspector attached to Vinoba Bhawe Nagar Police Station, Kurla, Mumbai. A photocopy of the said statement is taken on record. We have perused the said statement.

In the said statement Respondent No.8 has stated that, he has been kept at the said center for deaddiction and rehabilitation; on earlier at

least 20 occasions, he was kept at rehabilitation centers at Pune and Mumbai; he has been consuming cocaine and charas since the year 1991; his son Arfad, his nephew Amir and the Petitioner are visiting him; the Petitioner had been to the said center for four times. On a question that, anybody is compelling him, the Respondent No.8 has answered that, the persons from the center are compelling him to take medicines.

2. Learned Advocate for Petitioner submitted that, the Petitioner is not being permitted to visit Respondent No.8 at the said center. However he fairly drew our attention to page No.46 of the additional affidavit, wherein Mr.Abdul Merchant, the Authorized Officer of Crossroad Wellness Management Center has endorsed that, the Petitioner is known to create disturbance at the Center. That the said fact has been informed to the family members of the Respondent No.8 and she was directed not to visit the said Center and cause constant harassment.

3. The aforestated facts clearly reveal that, the Respondent No.8 has been admitted to the said Crossroad Wellness Center at NIBM Road, Pune and is undergoing rehabilitation regime under the observation of experts. The Petitioner is also aware of the said fact as she had visited the said place on four occasions.

4. In view of the above, according to us, nothing further survives in the present Petition and the grievance of the Petitioner has been meted out.

5. In view of the above observations, learned counsel for Petitioner on instructions seeks leave to withdraw present Petition.

Leave granted.

6. Petition is disposed off as withdrawn.

7. In view of disposal of Petition, Interim Application No. 2588 of 2022 does not survive and is accordingly disposed off.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]

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