

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6687 OF 2021**

Shaikh Moinuddin Naimuddin

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr.Pankaj Pandey a/w.Mr. Ismail S. Shaikh for Petitioner.

Ms.J.S. Lohakare, A.P.P. for State.

Ms.Neha Patil i/b. Mr.Ganesh V. Chavan for Respondent Nos.2 & 3.

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.****DATE : 19th October 2022.****PC. :**

1. Respondent No.3 is personally present in the Court. Advocate Ms.Neha Patil has duly identified her. We through learned A.P.P. Ms.J.S. Lohakare asked Respondent No.3, whether she is ready and willing to cohabit with the Petitioner, to which she in open Court refused and did not accept the said suggestion.

2. Advocate Ms.Neha Patil further submitted that, as a matter of fact, the Respondent No.3 has lodged a Crime bearing F.I.R. No. 34 of 2022 dated 18th January 2022 with M.I.D.C. Police Station, Mumbai (City) against the Petitioner for the offence under Sections 328, 341, 376, 376(2)(n) & 506

of Indian Penal Code and the investigation of the same is undergoing.

3. In view of the fact that, the Respondent No.3 has appeared before this Court and expressed her desire in not joining company of Petitioner or to cohabit with him, present Petition for *habeas corpus* has been worked out.

4. Petition is accordingly disposed off.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]

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