

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1732 OF 2022

DIPAK BHOPALSING RATHOD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mrs. Pratibha J. Bharad
APP for Respondent Nos. 1 to 4: Mr. M.M Nerlikar
.....

**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 19th OCTOBER, 2023.**

PER COURT :-

1. In pursuance to the order of issuance of notice in this matter, Anjali Deepak Rathod is produced before us. We have interacted with her in the chamber in presence of learned A.P.P. and learned advocate for the petitioner. The petitioner is none other than the father of Anjali. This petition is for Habeas Corpus. Upon interaction with her, it was found that she is emotionally involved with Mr. Sagar Appasaheb Gunjal. She has even married with him about two years before. The couple is blessed with a child of 16 months old. It is also learnt that while she was admitted in GHATI for some treatment, she fled from the hospital only with a view to join her husband.

2. Now it's a case of marriage between the two. One of whom i.e. girl has not attained the age of majority. Such marriage is

not void. There is nothing to indicate that she was compelled to marry or her consent was obtained due to any kind of inducement. She told us that she wish to live with her parents in law. It is informed that her husband is in jail in connection with the very crime. In view of desire expressed by her, who is going to complete 18 years of age within two months, we leave her to her discretion. Her father was also present. We have interacted with him. He told us that considering Anjali to be his only daughter, he is going to condone her acts and accept her marriage.

3. In view of above, we leave her to her discretion and allow her to join to her parents in law, who are also present.

4. We expect the Court, seized of the matter wherein Sagar Appasaheb Gunjal is arrested, to release him forthwith even on his personal bond. Registrar (Judicial) of this Court to do the needful.

5. The petition is accordingly disposed of.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

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