

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1764 OF 2022

Mohan S/o Sakharam Pawar

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

...

Advocate for petitioner : Mr. G.J. Karne

APP for the respondent – State : Mr. S.D. Ghayal

Advocate for the respondent no. 3 : Mr. M.B. Sandanshiv

...

**CORAM : MANGESH S. PATIL &
ABHAY S. WAGHWASE, JJ.**

DATE : 26 APRIL 2023

PC :

Not on Board. Production is allowed, on request.

2. Heard learned advocate for the petitioner, learned APP in presence of the Investigating Officer - Mr. Annasaheb Jadhav, SDPO, Karjat, District – Ahmednagar as also the victim girl. The offence was registered at the instance of the parents under section 363, 366A, 109 of the Indian Penal Code and section 12 of the Protection of Children from Sexual Offences Act, 2012 and section 3(2)(va), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The Investigating Officer produces the girl before us today along with a report tendered across the bar. It is taken on record.

It is mentioned that she along with one Abhayraj Sanjay Dangde resident of Ghugalwadgaon, Tq. Shrigonda, District – Ahmednagar herself reached the Police Station and is now being brought before us.

4. We have personally enquired with the girl as to where she has been residing. She states that she has been residing at different places on her own. She also states that her date of birth is March 22 2005. Even the learned APP, on instructions from the Investigating Officer, submits that even according to the record collected by the Investigating Officer, she has now attained majority. She does not state about having detained by someone.

5. Taking into consideration that this is a *habeas corpus* matter, it is disposed of. The girl is free to go as per her wish.

[ABHAY S. WAGHWASE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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