

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO.559 OF 2023

Mantu Virendra Mourya Petitioner

Vs.

The State of Maharashtra and Ors. Respondents

Mr. Saurabh D. Butala a/w. Ms. Manvi Sharma for the Petitioner.

Ms. P. P. Shinde, APP for the Respondent-State.

Ms. Sukhjeet Kaur, the wife of the petitioner present in Court.

***CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.***

DATE : 21 APRIL 2023.

P. C.

1. By this petition, the petitioner seeks a writ of habeas corpus and a direction to the respondent to produce the petitioner's wife Ms. Sukhjeet Baggasingh Kaur before this Court. The direction is also sought to handover custody of Ms. Sukhjeet Baggasingh Kaur to the petitioner and to ensure her personal safety.

2. By order dated 3/4/2023, this Court had directed the police attached to Manpada Police Station, District Thane to

produce Ms. Sukhjeet Baggasingh Kaur before this Court on 12/4/2023 at 2.30 p.m. On 12/4/2023 learned APP informed this Court that the police has recorded statement of Ms. Sukhjeet Baggasingh Kaur and she has stated that she does not want to return to the petitioner. Vide order dated 12/4/2023 this Court directed the concerned officer to produce Ms. Sukhjeet Baggasingh Kaur on 21/4/2023 before this Court.

3. Pursuant to the orders passed by this Court, the police has produced Ms. Sukhjeet Baggasingh Kaur today before us in the chamber. We have interacted in detail with Ms. Sukhjeet Kaur. She states that she was married to the petitioner, however, she does not desire to continue with her matrimonial relations and wants to reside with her parents. She further submits that she is residing with her parent at Ganganagar, Rajasthan out of her own volition and she is not under any pressure from her parents.

4. The petitioner was apprised of the wishes of Ms. Sukhjeet Kaur and he states that in view of the statement made by her he has no further grievance in the matter. He further submits

that he would delete all the joint photographs of his and Ms. Sukhjeet Kaur. Ms. Sukhjeet Kaur states that the proceedings filed by her under section 498A of IPC before the Court at Rajasthan would be withdrawn by her. Statements are accepted as undertaking to this Court.

5. Considering the statement made by Ms. Sukhjeet Kaur that she is residing with her parents out of her own wish, nothing survives for consideration in the petition.

6. The petitions stands disposed of.

SHARMILA U. DESHMUKH, J. REVATI MOHITE DERE, J.