

CRIMINAL WRIT PETITION NO. 651 OF 2023

Shaikh Aasif Shaikh Saleem Khatik ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. S. R. Tripathi i/b Mr. Rammani G. Upadhyay for the Petitioner

Ms. S. S. Kaushik, A.P.P for the Respondent Nos.1 & 2 -State

Ms. Asha Joshi a/w Ms. Aarti Dharamsey for the Respondent No. 3

PSI Mr. Anil Vitthal Deore (I.O.) and PSI Mr. Sukumar Patil from RCF Police Station, are present

CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
WEDNESDAY, 12th APRIL 2023

P.C :

1 By this petition, the petitioner seeks a writ of habeas corpus for producing the petitioner's wife namely Mrs. Aliya Arif Shaikh @ Mamta Pramod Singh.

2 Pursuant to the notice issued by this Court vide order dated 22.02.22023, the respondent No.3's daughter (petitioner's wife) Mrs. Aliya Arif Shaikh @ Mamta Pramod Singh, is present before us.

3 Considering the sensitivity of the case, we have interviewed Mrs. Aliya Arif Shaikh @ Mamta Pramod Singh in Chambers. She disclosed that she does not wish to stay with the petitioner, however, she states that the petitioner has been threatening her and her family members. She prayed that the photographs in the petitioner's mobile be deleted by him (nothing objectionable in the photographs except showing they were together).

4 After the girl was interviewed in Chambers, we placed the matter in Court in the second session. The petitioner is present before us. He agreed to delete the photographs/videos of him and the girl, in his mobile. Accordingly, the said photographs were deleted in presence of his lawyer as well as the concerned

officers of RCF Police Station i.e. PSI Mr. Anil Vitthal Deore (I.O.) and PSI Mr. Sukumar Patil, who are present in Court.

5 The petitioner states that he has never threatened the respondent No. 3 or her family members. He instead states that he and his family are being threatened by the respondent No. 3 and others.

6 We do not wish to go into this aspect, since it is word against word. However, both the petitioner as well as Mamta Singh and her mother, who are present in Court, assure that they or their family members will not interfere in each other's lives. The assurance given by the parties is accepted.

7 Considering the aforesaid, nothing survives for consideration in the petition. Petition stands disposed of accordingly.

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