

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

CRIMINAL WRIT PETITION NO.2056 OF 2023

Jagdish Navingiri Goswami

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Himanshu Gupta, for the Petitioner.

Ms. P. P. Shinde, A.P.P for the Respondent – State.

Mr. Subodh Desai a/w Mr. Ranvir Shekhawat and Mr. Jagdish Chaudhary i/b Raj Legal, for the Respondent Nos.6 and 7.

API – Kishor Avhare, Kasturba Marg Police Station, Mumbai, is present.

Petitioner - Jagdish Navingiri Goswami, is present.

Kiran Jagdish Goswami @Kiran Bhagwan Singh Rathod, is present.

***CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.***

DATE : 13th JULY 2023
(IN CHAMBERS)

P.C. :

1. By this petition, the petitioner seeks a writ of habeas corpus to produce his wife – Kiran Jagdish Goswami @Kiran Bhagwan Singh Rathod, before this Court.

2. Learned counsel for the petitioner states that the petitioner and Kiran got married on 13th December 2022 at Bandra (East), Mumbai, as per Hindu vedic rites and rituals. It was submitted that Kiran was a major at the relevant time, and that till about 28th January 2023, they were living happily. According to the learned counsel for the petitioner, after January 2023, the petitioner was not able to contact his wife - Kiran, pursuant to which he filed the aforesaid petition.

3. Vide order dated 27th June 2023, the concerned officer from Kasturba Marg Police Station, Borivali (East), Mumbai, was directed to take all necessary steps to produce Kiran Jagdish Goswami @Kiran Bhagwan Singh Rathod, before us on 7th July 2023 at 10:30 a.m.

4. On 7th July 2023, Kiran was not produced before us. However, her father appeared before us. We heard Kiran through video-conferencing. As there was some connectivity issue and she was

not audible, her father assured us that Kiran will be produced before us, on the next date i.e. 13th July 2023 at 5:00 p.m.

5. Pursuant thereto, Kiran is present before us. We interacted with her alone in the *Chambers*. She does not dispute that she was married to the petitioner, however, she states that she does not wish to stay with the petitioner and wants to move on with her life. She states she is saying the same without any coercion or pressure. She further states that she wants to pursue her education and that the petitioner should not interfere in her life. She also states that she will not interfere in the petitioner's life.

6. In view of the aforesaid, nothing survives for further consideration in this petition. Petition is accordingly dismissed and disposed of as such.

GAURI GODSE, J.

REVATI MOHITE DERE, J.