

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

CRIMINAL WRIT PETITION NO.3804 OF 2022

Sunita Dinesh Chordiya

Petitioner

versus

The State of Maharashtra and another

Respondents

Adv.Vivekanand V. Krishnan with Adv.Abhijeet A Dixit, Advocate for
Petitioner.

Mrs.M.H.Mhatre, APP, for State.

**CORAM : A.S.GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 2nd February 2023

PC :

1. In pursuance of Order dated 31st September 2022, the Commissioner of Police, Nashik City, has forwarded a communication dated 13th December 2022 to the Additional Public Prosecutor, High Court, Mumbai. It is stated that, he has taken cognizance of the view expressed by this Court and directed the concerned to take appropriate action within stipulated period in future. The Commissioner of Police has further stated that, relevant documents pertaining to inquiry regarding Harsh Dinesh Chordiya has been completed by Assistant Police Inspector Nitin Khairnar and his team. A photocopy of the said communication is taken on record.

2. We have perused the file of inquiry conducted by police attached to Sarkarwada Police Station. The concerned police recorded statement of Harsh Chordiya, aged about 22 years, presently residing at 185/1/Q, NSC, Bose Road, Tavli Ganj, Kolkata. He has stated that, on 26th March 2021 he himself left the house of Petitioner and went to the house of Ms.Anandita Dey and has settled there. He has reiterated that, he is willingly residing with Anandita Dey and her family members and he has no intention to come back to Mumbai. That, on 25th May 2021 after he went to Kolkata, he has informed the police that, Petitioner i.e. his mother, his father and other close relatives are not treating him well and therefore he is residing at Kolkata. That, in the month of August 2021, Petitioner along with Mr.Pankaj Surana and an Advocate Mr.Inamdar had been to Kolkata to take him back, however, he refused to accompany them and thereafter Petitioner and other persons left. Mr.Harsh Chordiya reiterated that, he is residing at Kolkata with Anandita Dey with her family at his own will. That, he has no problem and threat from said family and he is not willing to come back to Nashik. Perusal of said statement indicates that, at the end of said statement Mr.Harsh Chordiya in his own handwriting reiterated that, he is residing at Kolkata at his own sweet will and has signed the

statement.

3. In view of the statement of Harsh Chordiya, recorded by police we find that, present petition of Habeas Corpus does not further survive and is accordingly disposed off.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)

MST