



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 606/2023.

Vishwas Mohan Wakode

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri M.R. Deshmukh, Advocate for the Petitioner.
Shri V.A. Thakare, A.P.P. for Respondent No.1.
Shri A.P. Tathod, Advocate for Respondent Nos.2 to 4.

CORAM : VINAY JOSHI AND
VALMIKI SA MENEZES, JJ.

DATE : AUGUST 29, 2023.

Heard.

2. In pursuance of our earlier order dated 25.08.2023, the concerned police have brought respondent no.2 girl before the Court. We remind ourselves that this petition is filed by one Vishwas claiming to have been married with respondent no.2 - girl on 24.06.2023, but, within few days her father and maternal uncle [respondent nos. 3 and 4] forcibly took her away and did not allow her to reside with the petitioner husband. Precisely it is the contention that petitioner's wife was kept in wrongful

confinement by her father and maternal uncle.

3. Considering the said contention, coupled with the marriage certificate, and affidavit filed by the girl to the police confirming the averments raised in the petition, she was directed to be produced. The girl is brought before the Court today by the concerned police, as well as respondent nos. 3 and 4 i.e. her father and maternal uncle, as well as her brother have appeared through Advocate Shri Tathod.

4. On question to respondent no.2 girl, who is 21 years of age, she stated that she got married to the petitioner and she desires to stay with the petitioner husband only. Since we got sense that she was little bit hesitant to open her mind in presence of her father and maternal uncle, we requested Smt. Sneha Dhote, Advocate to interact with the girl to understand her wish and will. Within short time Advocat Smt.Dhote, interacted with the girl and informed the Court that since she was pressurized by her father, maternal uncle, therefore, she was hesitant to disclose the things, but, as she is married with the petitioner, she intends to reside with petitioner only.

5. We have again re-assured the things with the

girl, who has specifically stated that she wanted to live with her husband, as both got married. No one has disputed that respondent no.2 is major i.e. above 18 years of age. Considering these facts, the respondent no.2 is free to go with her husband as per her desire, from this Court only.

6. Considering allegations leveled by the petitioner, we direct the police to ensure that there shall not be any untoward incident at the behest of father and other family members of the girl. The police may provide necessary protection to the petitioner and respondent no.2 girl, if contingency arises.

7. So far as the other reliefs claimed by the petitioner, we are not inclined to entertain the same, sans adequate material. Criminal Writ Petition is disposed in aforesaid terms.

JUDGE

JUDGE