

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 985 OF 2024

Sanjay Namdev Wagh

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Baliram Shinde – Advocate for the Petitioner
Mrs. Ashlesha S. Deshmukh and Mr. A. R. Kale – Advocate for
respondent/State

.....

**CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.**

DATED : 10TH JUNE, 2024

PER COURT : -

1. The Petitioner has filed this Habeas Corpus Petition seeking
following reliefs : -

- “A] This Criminal Writ Petition may kindly be allowed.
- B] By issuing writ of habeas corpus or any other writ, order or direction in the like nature, it may be directed to the respondents to produce the detained Archana Sanjay Wagh before this Hon’ble High Court, who is wrongfully detained in the custody of respondent no. 4 and his family members and take suitable action in accordance with law.
- C] Any other just and equitable relief which this Hon’ble Court may deem fit and proper may kindly be passed.”

2. Learned advocate Mr. Baliram Shinde appearing on behalf
of the Petitioner submits that respondent no. 4 – Sachin Dilip Hiwale has

kidnapped the Petitioner's daughter i.e. victim girl. The Petitioner is present in the Court.

3. The concerned Police has produced the victim girl, namely, Archana Sanjay Wagh, before the Court. We have interacted with her. She submits that her date of birth is 06th December, 1999. Undisputedly, she is major by age. She submits that she got married to respondent no. 4 – Sachin Dilip Hiwale willingly. She further submits that she is willing to reside with the respondent no. 4. The respondent no. 4 is also present.

4. Learned APP appears for the State.

5. Since the Petitioner's daughter is major by age and she is willing to reside with her husband i.e. respondent no. 4, we leave it to her discretion. No further directions are necessary. The Petitioner is made aware of the legal position that his daughter being major by age, no further direction can be passed.

6. In view of the above, Criminal Writ Petition stands disposed of.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE