



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1023 OF 2024

RAM KISANRAO SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. G.J. Pahilwan, Advocate for petitioner

Dr. Kalpalata B. Patil Bharaswadkar, Mrs. R.P. Gour and Mrs. Priya R.

Bharaswadkar, APPs for respondent Nos.1 and 2

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CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.

DATE : 13th AUGUST, 2024

ORDER :

1 Not on board. Taken on board upon mentioning.

2 Present petition was filed by invoking the constitutional powers of this Court under Article 226 of the Constitution of India for issuance of writ of Habeas Corpus for production of daughter and grandson of petitioner. The petitioner had filed missing report regarding his daughter as she left his house along with her son on 21.08.2023 without informing anybody. The missing report came to be lodged on 23.08.2023 vide No.48/2023 with

Ambad Police Station, Dist. Jalna. The daughter of the petitioner is married and has daughter as well as son. However, since last some days the daughter and the grandson of the petitioner were residing with the petitioner.

3 Today, the girl along with her son were produced before this Court around 2.30 p.m. We have made inquiry with the girl. She has disclosed that she was facing harassment from her husband and mother-in-law and, therefore, she had visited her parents house many times, however, her husband was harassing her even after she used to come to her parents house and, therefore, she left the house of parents without informing anybody. She states that she is residing at Aale phata and is doing work in the canteen of a college. She has not been abducted by anybody and she expressed that she does not want to reside with her husband or parents.

4 We were concerned with the safety of the girl and the child and wanted to ensure as to whether she is understanding the consequences of her act of residing alone. Though she is major now and she could be set free upon her statement that she has not been confined by anybody or abducted by anybody, still out of concern we decided to give her counselling and to see whether some via-media can be achieved and the relatives can get information about her on a regular basis. We, therefore, sent her to the office

of High Court Legal Services Sub Committee, Aurangabad and requested learned Member Secretary, High Court Legal Services Sub Committee, Aurangabad to have a dialogue of counselling with her, so also three APPs attached to our Court also entered upon dialogues with the girl, but it appears that the girl is firm in staying alone, as she is now earning.

5 Since the girl is major and it has been ensured from her that she has not been confined or abducted by anybody as per her wish she is set free. In view of this position, the writ petition stands disposed of.

6 We appreciate efforts taken by Mr. S.N. Yadav, Member Secretary, High Court Legal Services Sub Committee, Aurangabad and learned APPs Dr. Kalpalata B. Patil Bharaswadkar, Mrs. R.P. Gour as well as Mrs. Priya R. Bharaswadkar.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)

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