

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1262 OF 2024

Shamshad Ahmad @ Shah .. Petitioner
Versus
The State of Maharashtra and ors .. Respondents
...

Mr.Siddharth Singh i/b Sanjay Singh for the petitioner.
Ms.Neha Patil for respondent no.3.
Ms.M.M. Deshmukh, APP for the State.
Respondent no.3 present.
Petitioner and corpus present.
PSI Seema Khan from D.N. Nagar police station present.

CORAM:BHARATI DANGRE &
MANJUSHA DESHPANDE,JJ.
DATED: 19th AUGUST, 2024
(In Chamber)

P.C:-

For the reasons recorded separately, we pass the following order:-

- (a) Writ Petition is allowed.
- (b) Upon the production of the corpus Sapnaben Punabhai Jamod, we issue writ in the nature of mandamus to hand over her custody to the petitioner, as she expressed her desire to continue her habitation with him, pursuant to the marriage that is

performed without going into the legality or otherwise of the marriage that is solemnized by the petitioner with the corpus, but since it is her desire to be with the petitioner.

Police Inspector, D.N. Nagar police station, Mumbai who has produced the corpus is directed to hand over her custody to the petitioner forthwith.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)