

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 6113 OF 2024

Niramala Jagdish Jaiswal And Ors. .. Petitioners

Versus

The State Of Maharashtra And Ors. .. Respondents

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Ms. Saakshi Jha a/w Mr. Ujjwal Gandhi, Mr. Prateek Dutta, Ms.
Bhavi Kapoor, for the Petitioners.

Mr. D. J. Haldankar, A.P.P. for the State/Respondent.

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CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 18th DECEMBER, 2024

P.C:-

1. The present Writ Petition is filed by the natal family of the Respondent No.5 seek issuance of Writ of Habeas Corpus, seeking her production before the Court and for allowing the Petitioners to meet her. Considering the urgency we had granted circulation and directed the learned A.P.P. to take instructions.

2. Mr. Haldankar, the learned A.P.P. has placed before us the report of the P.S.I., Bandra Police Station, Mumbai dated

17.12.2024.

The report mention about the complaint received from the parents of the girl aged 27 years, who was reported to have left for the office but did not return back and is not answering her calls also.

3. The report is accompanied with a communication addressed to DCP of Zone-IX as well as the Senior Inspector of Police, Bandra Police Station on 01.12.2024 by the corpus herself, where she has stated that on 01.12.2024 she voluntarily left her home without being under anyone's influence or coercion and she is major and therefore she has right to make her own decision.

She also stated the reason for leaving the house, as she intend to lead her life independently and wish to explore her own path and establish her independence.

Categorically she write that if her family members come to the police station for filing a missing complaint, that shall not be entertained because at the time when she left her house she had informed about her decision to all her family members.

4. In the wake of the aforesaid letter, since we have noticed that the Respondent No.5 is major and consider herself to be capable of leading her own life on her own terms and as per own choice, her natal family can only support her decision, but in any case cannot seek recourse in the proceedings before this Court for the purpose of her production.

The corpus being major and having clearly indicated her decision to the parents, we see no ground to entertain the Petition and the same is dismissed.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)