



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL WRIT PETITION NO.412 OF 2024**

Abdul Wahed Abdul Salim Sheikh

..vs..

State of Maharashtra and ors.

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders  
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Shri M.N. Ali, Advocate for the petitioner.

Shri A.H. Jamal, Advocate for respondent no.2.

Shri S.V. Narale, Addl.P.P. for the State.

**CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.**  
**DATED : 09/05/2024.**

Heard.

2. In pursuance of our order dated 07.05.2024, the respondent nos. 3 and 4 i.e. father and daughter (wife of the petitioner) have appeared before us. The petitioner husband sought for prerogative writ of Habeas Corpus alleging that his wife i.e. respondent no.3 has been detained by respondent no.4 father.

3. The facts in brief are that the couple got married on 03.12.2023 and thereafter, on 26.02.2024 there was Talaqnama. It is the petitioner's contention that Talaqnama was void. The petitioner submitted that after Talaqnama though his wife stayed at her parental house, however she contacted him by sending messages expressing her desire to reside with him. In view of that, he has sought a writ of Habeas Corpus.

4. Today, respondent no.3 wife has appeared before us with her father. On inquiry, she accepted that she got married with the petitioner on 03.12.2023. She

also accepted about the Talaqnama however she says that after Talaqnama she is staying with her father at her own will. It is brought to our notice that respondent no.3 wife is 26 years of age, law graduate and a law practitioner at Pawni Court. We have repeatedly asked her whether she has been confined to which she clearly denied and expressed that she desire to reside with her father.

5. In view of the above, no case of wrongful confinement is made out. Respondent no. 3 wife is at liberty to stay with her father as per her wish and will.

6. The Criminal Writ Petition stands disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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