



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 688 OF 2024

Vinit Omprakash Tak -Vs-The State of Maharashtra and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Akshay H.Joshi, counsel for the petitioner.
Mr.Anup Badar, A.P.P for respondent-State.

**CORAM VINAY JOSHI &
MRS. VRUSHALI V. JOSHI, JJ.**

DATE : 2nd SEPTEMBER, 2024.

1. Heard.
2. The petitioner is seeking a writ of habeas corpus alleging that respondent No.2 has wrongfully detained a lady Kusum Bano aged 22 years.
3. It is the petitioner's case that he is having love affair with Kusum Bano. Both of them decided to marry. Both left their respective houses and came to Nagpur and stayed in lodging house for five days. The lady is hailing from the State of Rajasthan.
4. The petitioner would submit that one of his friend Mohd. Samir assured them to arrange for marriage and accordingly, took them at some unknown place on 22.08.2024. Mohd. Samir along with his friends took a U-turn, beaten the petitioner and separated him from the lady Kusum Bano. Later, it was learnt that

Kusum Bano was sent to her parents house. The petitioner tried to contact however, respondent No.2, who is the father of lady has detained her and did not allow any one to interact.

5. It is the petitioner's contention that the lady was desirous to marry with him but due to communal differences, i.e. why respondent No.2 has detained the lady.

6. It is undisputed that at present, lady, who is a major is staying with her father. If the petitioner's case is assumed to be true, in that case, a lady has right/choice to get marry to petitioner. However, it also emerges that the lady is in the custody of her father and it would be an sheer harassment to call the lady at this place from Rajasthan. The thing which we require is only to verify the true facts from lady.

7. We direct respondent No.1-State to contact their jurisdictional counter parts, where respondent No.2 resides and shall inform the local court of Rajasthan from where we can interact on VC with lady. After getting said information, further orders would be passed.

8. Stand over after two weeks.

JUDGE

JUDGE