

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

40 CRIMINAL WRIT PETITION NO. 1332 OF 2025

JAYSHRI ARUN BIDAVE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. Saurabh Nimbalkar, Advocate for the petitioner.
Mr. V.M. Jaware, A.P.P. for respondent Nos.1 to 3 – State.

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**CORAM : SANDIPKUMAR C. MORE AND
Y.G. KHOBRAGADE, JJ.**

DATED : 1 DECEMBER 2025.

Per Court :

1. The present petition is filed by the petitioner Jayshri Arun Bidave for issuance of writ of Habeas Corpus directing respondent Nos.2 and 3 to produce her minor daughter/victim presently aged about 17 years 2 months, who has illegally abducted and unlawfully detained by respondent No.4 and his associates.

2. Admittedly, C.R. No. 154/2025 was registered with Mukundwadi Police Station for the offences punishable under Sections 137 (2), 64, 64 (2) (m) of the Bhartiya Nyay Sanhita, 2023 and Sections 4, 6, 21 of the Protection of Children from Sexual Offences Act, 2012 as the victim eloped with respondent No.4. On going through the statement of victim recorded by concerned Investigating Officer, it appears that she

was having love affair with respondent No.4 and in the year 2023 also she had gone with him leaving her house. It further appears that at that time also crime was registered against respondent No.4 and during investigation of that crime, she was produced by the investigating machinery and handed over to her parents. However, thereafter also love affair between victim and respondent No.4 continued and on 17.04.2025 the victim again went to respondent No.4 in respect of which the aforesaid crime has been registered.

3. Today also, Lady Police Constable Laxmi Ubale (B. No.1784) of Mukundwadi Police Station has produced the victim before us. We have personally communicated with the victim and she stated that she is in love with respondent No.4 and they have performed customary marriage and at present she is six months' pregnant from respondent No.4. She specifically stated that she does not want to go to her parents or her aunt with whom she was residing before going with respondent No.4. Presently she is admitted in State Women Shelter Home, Kranti Chowk, Chhatrapati Sambhajinagar. On asking, she informed that she is safe in the said shelter home and provided with necessary medication as she is pregnant.

4. Under such circumstances, it appears that the victim is

not ready to go with her parents or aunt. Investigating Officer when interrogated, he submitted that necessary medication is being provided to the victim. It is also reported that Children Welfare Committee is also visiting her and taking proper care of her.

5. In view of the above, we are not inclined to issue writ of Habeas Corpus as claimed. We deem it appropriate to direct that the victim be kept at State Women Shelter Home, Kranti Chowk, Chhatrapati Sambhajanagar.

6. The petition is, thus, disposed of accordingly.

7. We make it clear that if respondent No.4 makes any application for bail, then the concerned Court shall decide the same on its own merit, uninfluenced by the observation in this order.

(Y.G. KHOBRAGADE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE