



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

CRIMINAL WRIT PETITION NO. 1360 OF 2025

ASHFAQ AHMAD AZAD ALI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. Shaikh Md Aamir Abdul Qadir
APP for Respondent Nos. 1 to 3 : Mr. S.A. Gaikwad

**CORAM : NITIN B. SURYAWANSHI AND
SMT. VAISHALI PATIL JADHAV, JJ.**

DATE : 08TH OCTOBER, 2025

PER COURT :

1. Petitioner – husband by this present petition seeking a writ of Habeas Corpus for production of his two daughters Barira, aged 8 years and Okasa, aged 4 years. He has arrayed his wife Saira Khatun as respondent no. 4 in the petition.

2. Today, respondent no. 4 alongwith both the children is present in the Court. Police machinery has traced her at Ambad and her statement is recorded. Wherein, she has stated that since she was being harassed by the petitioner, she has gone away. Since the petitioner was constantly harassing her and threatening to give Talaq to her she left her house on 15.08.2025, alongwith her children and came to Chhatrapati Sambhajinagar and started residing at Jahangir Colony. After residing here for 15 days, she came to know that petitioner has arrived at Chhatrapati Sambhajinagar. Therefore, she went to Jalna and tried to lodge FIR

at Jalna Police Station. However, the said Police Station did not accept her FIR. Thereafter, she recorded her complaint on Rs. 500/- bond paper on affidavit and forwarded it to Harsool Police Station through post when she went to Jintoor and from there to Jalna Family Court. Thereafter, she started residing at Ambad where the Investigating Officer has approached.

3. On interaction with her through learned APP, she submits that she does not wish to go along with her husband as he used to harass her and she wants to retain the custody of her children.

4. In this view of the matter, the purpose for filing of this petition is served. Criminal Writ Petition is, therefore, disposed of.

5. Mr. Popat Waman Dahiphale, Buckle No. 486, Police Constable, Harsool Police Station is present in the Court to give instructions to the learned APP in this matter. He is directed to provide protection to respondent no. 4 and her children till they reach their destination.

6. Parties to act upon authenticated copy of this order.

(SMT. VAISHALI PATIL JADHAV, J.) (NITIN B. SURYAWANSHI, J.)