



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

CRIMINAL WRIT PETITION NO.545 OF 2025

Saluji s/o Manohar Khatke

...PETITIONER

VERSUS

The State of Maharashtra and others

...RESPONDENTS

...
Mr. Bharat S. Doifode, Advocate for Petitioner.
Ms. P. R. Bharaswadkar, A.P.P. for Respondents.
...

**CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 17th APRIL, 2025

ORDER :

1. Not on board. Taken on board by constituting a Special Bench, as the learned Advocate for the petitioner submitted that there is urgency in the matter and therefore, Special Bench took up matter for hearing at 8.00 p.m.
2. Heard learned Advocate for the petitioner. Petitioner is the father of minor girl, however, it appears that as the mother of the girl died when the girl was too young, since the 1st standard

it appears that the girl has been looked after by the other relatives. The documents on record show that the maternal uncle of the girl has lodged offence vide Crime No.50 of 2025 with Mojpuri Police Station, District Jalna on 09.03.2025 under Section 137(2) of the Bhartiya Nyaya Sanhita against the paternal aunt of the girl stating that the girl has been kidnapped by the aunt. Now, the father is coming with the story that the said maternal uncle wishes that the girl's marriage should be performed with one of his close relatives and therefore, the false FIR has been lodged.

3. At this stage, we do not want to go into those aspects taking into consideration the urgency. We are considering that the girl who is taking education in 8th standard, her examinations have already begun, Practicals were held on 08.04.2025, 09.04.2025 and 11.04.2025, but the written examination appears to be from 19.04.2025. It is further the fact that after the registration of the offence, the police had produced the minor girl before Child Welfare Committee, Jalna, who have kept the girl in the Shelter Home since 12.03.2025. The petitioner had made representation to Child Welfare Committee, Jalna on 07.04.2025 stating that the custody of the minor girl be handed

over to him, but it appears that the said application is still pending.

4. Taking into consideration the fact that the written examinations would start from 19.04.2025, we find that the directions need to be given to Child Welfare Committee, Jalna to make arrangement for the attendance of the minor girl - Tanuja Saluji Khatke, thereby making her convenient to give the examination to be held at Jijamata High School, Bhatepuri, Taluka and District Jalna. Child Welfare Committee is directed to get one or two lady constables and with them send the girl for the examination and the girl should then be again brought to the Shelter Home where she is now kept, on the same day after the examination. This arrangement to be continued till 25.04.2025.

4. Issue notice to the respondents. Learned APP waives notice for all the respondents. Learned APP to get further instructions.

5. Place the matter on 28.04.2025. The girl be produced before this Court around 2.00 p.m. on that day.

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

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE