

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.5079 OF 2025

Mohammed Hassan Mohammed
Iliyas Sumra

.....Petitioner

Versus

The Commissioner of Police,
Commissioner Office, Mumbai
and another

.....Respondents

Ms. Muskan Shaikh, Advocate for the Petitioner.

Ms. Supriya Kak, APP for the Respondents-State.

Mr. Karan Mehta, Advocate a/w. Nishant Shah, Khushi Zaveri,
Khushboo Shah, Mittal Jadeja for the Petitioner's daughter.

PSI Tushar Mundhe, Vakola Police Station, Mumbai is present.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 10th OCTOBER, 2025

P.C. :

1. This is a Writ Petition for issuance of a writ of habeas corpus. The Petition is filed by the father of a person, who according to the Petitioner, went missing from 18.4.2025 and he has not seen his daughter since then. He had lodged a missing complaint under MMR No.60/2025. It was registered with Vakola Police Station, Mumbai on 18.4.2025. There are

certain references to one person against whom some suspicion was expressed by him.

2. When the matter was called out in the Court, learned counsel for the Petitioner expressed an apprehension about her safety. The police officers attached to Vakola police station had obtained a video recording of the police statement given by the Petitioner's daughter in the local police station, in whose jurisdiction she is residing at present. Learned counsel for the Petitioner also expressed a suspicion about the genuineness of that video recording and expressed a suspicion that she could be giving that statement under some pressure. Considering this concern, we had directed the officers of Vakola police station to produce the Petitioner's daughter before this Court today at 2.45 p.m..

3. Pursuant to the said order passed on 3.10.2025, the officers of Vakola police station have brought the Petitioner's daughter before the Court. The Police Sub-Inspector Tushar Mundhe, attached to Vakola police station, Mumbai is present before the Court. He identified the Petitioner's daughter. We

interviewed her in presence of the learned APP Ms. Supriya Kak, the learned counsel for the Petitioner and the learned counsel appearing for the Petitioner's daughter though she is not made a party. The learned counsel for the Petitioner's daughter is permitted to file his Vakilpatra in the Registry because we have heard him in this case.

4. We have interviewed the Petitioner's daughter in presence of all these learned counsel. We specifically asked her whether she was under pressure or was finding it difficult in putting forth her difficulties. She gave clear answers about her current situation. She stated before us that at present she is 31 years of age and is gainfully employed. She is desirous of marrying her friend. It is not necessary to name that friend because of the concerns expressed regarding their safety. However, she submitted that she genuinely wants to marry him, but, her parental family is creating hurdles in getting her married with that person. Be that as it may, she is residing at present with him outside Maharashtra. She told the Court that she genuinely wishes to get married with that person and settle

down at that place. She submitted that her parental family was fully aware of her intention but they were not giving her permission to get married with that person and they were not cooperating with her. She further told the Court that at present she is pregnant for three months.

5. We have considered this situation. The statements made by the Petitioner's daughter are recorded hereinabove. She is an adult. She is free to take her own decisions. In this situation, nothing further survives in this Petition. However considering the hostility between the parties, some protection needs to be given to her so that she can reach to the place where she is staying at present with her friend. The officers of Vakola Police Station are present in the Court. With the assistance and cooperation of the other staff of Vakola police station they shall accompany the Petitioner's daughter to the place where she is residing at present outside Maharashtra. They should afford all the security to the Petitioner's daughter. She is free to take further steps to get security in the local area where she is residing. Learned counsel appearing for her today

shall guide her in that behalf.

6. The Petitioner himself was permitted to enter the Chambers and have a interaction with his daughter. He came to the Chambers, but, both the father and the daughter did not speak with each other though they looked at each other.

7. The officers of Vakola police station, Mumbai shall interact with the local police station, where the Petitioner's daughter is residing and shall ensure some protection for her in that area also.

8. With these observations, the Petition is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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