WAKLE MANOJ JANARDHAN
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5632 OF 2025

Kunwar Amit Krishna ...Petitioner
V/s.
The State of Maharashtra & Ors. ...Respondents

Adv. Neha Bhavsar i/by V.K. Dubey Associates, for the Petitioner.
Mr. S. R. Agarkar, APP for the Respondent-State.
Adv. Santosh Musale, for the Respondent Nos. 2 and 3.
PSI, Suraj Jagtap, Naigaon Police Station, present.

CORAM: BHARATI DANGRE, &
SHYAM C. CHANDAK, JJ.

DATED : 23rd DECEMBER, 2025.

P. C. :-

1) The learned APP Mr. Agarkar has produced before us the investigation carried out by Naigaon Police Station and has invited our attention to the statement of one of the child aged 5 years recorded by Mahila Dakshata Samiti, Waliv Police Station, where she categorically denied that she was subjected to any ill-treatment at the end of Respondent No.2. On the other hand, she clarified that it is the Petitioner who, on the promise of offering her chocolate and doll, was tutored to make a statement that Respondent No.2 had touched her inappropriately.

2) On the Appeal to be marked even on behalf of Respondent No.3, who is the wife of the Petitioner, a categorical statement made before us that both the children are with her and from the statement of

Respondent No.3 recorded on 09.11.2025, she has stated that, she is residing with Respondent No.2 and she has also referred to the harassment faced by her at the instance of the Petitioner and how she was harassed for demand of money and she has also stated that a false complaint is filed against Respondent No.2 at the instance of the victim-girl, who has now clarified that it was Petitioner who, on the pretext of giving chocolate and doll, was tutored to make such a statement.

3) In the wake of aforesaid, since the children are in the custody of the Respondent No.3 leaving it open for the Petitioner to seek appropriate recourse including filing of custody Petition before the appropriate forum, we dispose of the Writ Petition.

(SHYAM C. CHANDAK, J.) (BHARATI DANGRE, J.)