

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5925 OF 2025

Mohammad Faiz Shamim Siddiqui .. Petitioner
Versus
The State of Maharashtra and ors .. Respondents
...

Adv. S.M.M. Owais T. Janagirdar a/w Adv. Sultan A Khan, Adv. Vahid Shaikh, Adv. Kyati Shah, Adv. Ibrahim S for the Petitioner.
Adv. Karim D Pathan, Adv. Shivang Shetty for Respondent Nos. 2, 3 and 5.

Ms. Supriya Kak, APP for the Respondent – State.
Mr. Chandrakant Mali, PSI, Parsite Police Station.
Ms. Shital K, PSI, Parksite Police Station.

CORAM: BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.
DATED : 4th DECEMBER, 2025
(IN CHAMBER)

P.C:-

1. In the light of our order dated 3rd December 2025, the Petitioner, along with Respondent No.4, is present before us in the Chamber. We also had the opportunity to interact with the father and brother of Respondent No.4. After deliberating for considerable period of time, the Respondent No.4, in the presence of the Petitioner, admitted that she had accompanied the Petitioner on her own free will, and even a Nikah was performed, but now she is of the firm view that she do not want to continue any relationship with the Petitioner and desires to accompany her father.

In the wake of a clear statement being made by Respondent No.4, to be read with her affidavit, since we find that the Respondent No.4 is major and capable of taking decisions for herself, and in presence of her father and brother, as well as the Petitioner, she made a categorical choice of not accompanying the Petitioner and according to her, the marriage do not bind her.

2. We clarify that it is solely in the wake of the decision taken by Respondent No.4 not to accompany the Petitioner, the Petition seeking Writ of Habeas Corpus is dismissed.

(SHYAM C. CHANDAK,J)

(BHARATI DANGRE, J.)