



CNR: KAHC010470152026

NC: 2026:KHC:54504
WP No. 21344 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 21344 OF 2026 (GM-POLICE)

BETWEEN:

1. DR. SANJAY N,
S/O G. NARAYANA MURTHY,
AGED ABOUT 43 YEARS,
R/AT NO. NO. 56, PADMASHREE NILAYA,
1ST BLOCK, DODDABOMMASANDRA,
VIDYARANYAPURA,
BENGALURU NORTH,
KARNATAKA - 560 097.

...PETITIONER

(BY SRI. ADITHYA KARTHIK K, ADVOCATE FOR
SRI. HARSHA SWAROOP P.,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE STATION HOUSE OFFICER,
GOVINDRAJPURA POLICE STATION,
BENGALURU.
3. MRS. SHRUTHI M,
W/O DR. SANJAY N,
D/O N. MOHAN,





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AGED ABOUT 37 YEARS,
R/AT NO. 404, PANCHAVATI,
4TH MAIN, 4TH BLOCK,
HBR LAYOUT, 1ST STAGE,
BENGALURU, KARNATAKA - 560 043.

...RESPONDENTS

(BY SRI. HARISHA A S, AGA FOR R1 & R2
SRI. VISWESWARAIAH, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING 1 AND 2 TO PROVIDE POLICE AID AND PROTECTION TO THE PETITIONER FOR THE PEACEFUL AND EFFECTIVE IMPLEMENTATION OF THE ORDER DATED 18.09.2025 PASSED BY THE III ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU IN G AND WC NO. 67 OF 2025, ON EVERY SECOND SATURDAY OF EVERY MONTH AND DURING THE VACATION PERIODS COVERED BY THE SAID ORDER, UNTIL THE SAID ORDER SUBSISTS VIDE ANNEXURE-A.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

(a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing Respondents 1 and 2 to provide police aid and protection to the Petitioner for the peaceful and effective implementation of the Order dated

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MONNAPPA POONACHA



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18.09.2025 passed by the III Additional Principal Judge, Family Court, Bengaluru in G & WC No. 67 of 2025, on every second Saturday of every month and during the vacation periods covered by the said Order, until the said Order subsists vide Annexure-'A';

(b) Direct Respondent No. 3 to comply with the Order dated 18.09.2025 and to hand over the minor child, Kumari Grisha Yashika, to the Petitioner on each date and time appointed under the said Order in Annexure-'A';

(c) Direct that the handover of the minor child be effected in a child-sensitive manner, through the Child Counsellor attached to the Family Court at Bengaluru or at such neutral venue as this Hon'ble Court deems fit, with any police personnel deputed under prayer (a) remaining in plain clothes, including a woman police officer, so that the minor child is not exposed to any display of coercion;

(d) Direct Respondent No. 3 to compensate the parenting time denied by her non-compliance, by granting the Petitioner 27 days of compensatory interim custody of the minor child, being the 18 days lost across the nine second Saturdays and the 9 days lost across the Dasara 2025, Christmas 2025 and Summer 2026 vacation periods between 18.09.2025 and the date of this petition, together with such further days as accrue until compliance, on such schedule as this Hon'ble Court deems fit in the welfare of the child, and to pay costs of this petition occasioned by the wilful non-compliance; vide Annexure- 'A';

(e) Pass such other and further orders as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and in the paramount interest of the welfare of the minor child."

2. The petitioner, who is the father of the minor child has filed the present writ petition essentially seeking for



implementation of the order dated 18.09.2025 passed on IA No.2 in G&WC No.67/2025 (Annexure-A to the writ petition), the operative portion reads as under:

"ORDER

The IA No.2 filed by the petitioner u/sec. 12 of the Guardians and Wards Act is hereby allowed in part.

The Petitioner is permitted to pick up the child from the house of the Respondent at 8.00 a.m. on every Second Saturday with him and drop the child at 6.00 p.m. on Sunday by keeping the child with him as over night custody on Saturday. The Petitioner is entitle for first 3 days interim custody during the Dasara vacation, Christmas vacation and summer vacation. The Petitioner has to take care of the child and also intimate the respondent regarding any health issue of the child during his custody.

The Respondent has to cooperate for the visitation rights."

3. Being aggrieved by the impugned order, respondent No.3 - mother, preferred WP No.31712/2025 before this Court. However, till date, the order dated 18.09.2025 has not been interdicted or varied in any manner.

4. Learned counsel for the respondents in support of the contention raised in the statement of objections, submits that respondent No.3 is ready to comply with the impugned order. The learned counsel for respondent No.3 seeks to rely upon



paragraph 18 of the statement of objection which reads as under:-

"Without prejudice to the foregoing, and purely in the interest of the minor child's welfare, Respondent No.3 submits that the child's principal difficulty presently appears to be with being separated from her familiar environment and required to stay overnight independently with the Petitioner. Respondent No.3 is willing to accompany the minor child during the initial overnight custody periods, so that the child may gradually acclimatise, with Respondent No.3 thereafter progressively withdrawing as the child's comfort develops, until independent overnight visitation becomes possible such arrangement to be reviewed periodically by the learned Family Court in the pending G & WC proceedings."

5. The present writ petition has been listed before this Court on various dates of hearing. Even after the present petition was heard, passing of orders was deferred on various dates with the hope that an amicable resolution would be made by the petitioner and the third respondent. It is submitted by the learned counsel for petitioner that various attempts have been made to amicably resolve the matter, having regard to the fact that the order sought to be implemented pertains to the exercise of visitation rights of the child. That despite the best efforts of the parties, the same has not been amicably resolved. It is further submitted by the learned counsel for the petitioner that the petitioner has furnished memo proposing the



manner in which the custody could be implemented. However, the same has also not resulted in any amicable resolution of the matter between the parties.

6. Although submissions are sought to be made by the learned counsel for the petitioner and learned counsel for respondent No.3, as to the various modes/manner of the exercise of visitation rights, the said aspect of the matter is not being adjudicated in the present proceedings in as much as the parties are before the appropriate Court, with regard to the manner and extent of exercising visitation rights. The present petition is limited to seeking for enforcement of the visitation rights as ordered in the proceedings between the parties.

7. The resultant situation is the order dated 18.09.2025 admittedly is operational as on date and has not in any manner been interdicted in its operation in any other proceedings. Having regard to the said fact situation, respondent No.2 shall provide protection to the petitioner for peaceful and effective implementation of the visitation order dated 18.09.2025. If a request is made by the petitioner in that regard, respondent



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No.2 shall aid the petitioner in exercise of such visitation rights having regard to the sensitivity of the matter in question.

8. The present order is made in view of the admitted position that the impugned order dated 18.09.2025 is operational as on date and has not been varied in any manner. The direction given to respondent No.2 shall not be operational in the event the order dated 18.09.2025 is in any manner varied/set aside/modified.

9. The present writ petition stands disposed of in aforementioned terms.

10. Pending IAs., also stand disposed of.

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MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

Vmb
List No.: 1 SI No.: 46