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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2531 OF 2015

Vinod Babu Gohil

..Petitioner.

V/s.

The State of Maharashtra and Anr.

..Respondents.

Mr.K.M.Mhatre for the petitioner.

Mr.K.V.Saste, APP for respondent-State.

Mr.A.M.Joshi for respondent Nos.4 and 5.

**CORAM : RANJIT MORE AND
V.L.ACHLIYA, JJ.****DATED : 17TH NOVEMBER, 2015****P.C. :-**

The petition is filed seeking a writ of Habeaus Corpus directing respondent No.1 to produce the petitioner's daughter Ms.Dakshita before this Court. Petitioner and respondent No.4 are husband and wife. It is the specific case of the petitioner that his minor daughter Ms.Dakshita is in the custody of respondent No.4-wife. It appears that the parties are not residing together due to marital disputes. Learned counsel for respondent No.4 admits that Ms.Dakshita is in custody of respondent No.4. In the circumstances, we find that the petitioner has to apply for the custody of the daughter before an appropriate Court. A writ petition seeking a writ of Habeaus Corpus will not be maintainable. Hence the petition is dismissed.

(V.L.ACHLIYA, J.)**(RANJIT MORE, J.)**