

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2598 OF 2015

Ms. Arti Puri

.. Petitioner

Vs.

Ms. Pooja Sharma & Ors.

.. Respondents

Mr. Rishikesh Soni a/w Mr. Mushir Singh i/by DSK Legal for petitioner.
Mrs. Sangeeta D. Shinde, APP for State.

CORAM: B. P. DHARMADHIKARI &
A. S. GADKARI, JJ.

AUGUST 03, 2015.

P.C.

1. Advocate Mr. Rishikesh Soni fairly points out that at first hearing an objection as to maintainability was raised. According to him French Embassy, while allowing the petitioner to enter the country, had put a condition that after return to India, minors will be produced before its Embassy at Mumbai. The said condition needs to be fulfilled and as minors are reported to be with their biological parents (respondent nos.1

and 2), said condition cannot be fulfilled. Therefore, present writ seeking their production has been filed.

2. He submits that only interest of petitioner is to see that said condition is complied with.

3. It is apparent that petitioner is maternal aunt of the minors, who are with their parents. In this situation writ, as sought by her, is misconceived. If she had carried children out of country and there is a condition as pointed out by the learned counsel, the petitioner has to take appropriate steps for recording compliance with it.

4. Hence, with liberty to the petitioner to take such other steps, as open in law, we dispose of the present petition. Needless to mention that observations made by this court is only for the purpose of deciding present controversy and shall not affect other proceedings, if filed by the petitioner in accordance with law.

(A. S. GADKARI,J.)

(B. P. DHARMADHIKARI,J.)