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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3323 OF 2016

Vikram Kamal Jagtiani

.... Petitioner

V/s.

State of Maharashtra and 3 ors

.... Respondents

Ms. Radhika Mehta, for the Petitioner.

Mr. J. P. Yagnik, APP for the Respondent State.

Mr. S.R. Nachan I/by Bhawe & Co. for respondent No.4.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 28th NOVEMBER, 2016.

P.C. :

1. This petition is filed under Article 226 of the Constitution of India, seeking writ of habeas corpus against respondent No.4 to produce daughter Nikhita.

2. Learned counsel for respondent No.4 placed on record order dated 8.9.2016, passed by the Family Court at Bandra in Interim Application No.04 of 2016 in Guardianship Petition No.D-97 of 2013. The order reveals that the Family Court has directed maintaining of status-quo in respect of custody of minor child.

3. We, therefore, prima facie find that minor daughter Nikhita

cannot be said to be under illegal detention of respondent No.4.

4. In the above circumstances, learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file fresh as and when found necessary. Leave granted.

5. The petition is disposed of as withdrawn with liberty as prayed for.

[DR. SHALINI PHANSALKAR JOSHI, J.]

[RANJIT MORE,J.]