

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1925 OF 2017

Mrs. Kinjal Chandrakant Jaiswal	Petitioner
versus	
The State of Maharashtra and anr.	Respondents

Mr. Bharat V. Bhatia, advocate for the petitioner.
Mrs. S. V. Sonavane, APP for the State.
Mr. S. K. Farakate, advocate for respondent No.2.

**CORAM : RANJIT MORE &
SARANG V. KOTWAL, JJ.**

DATE : 6th JUNE, 2017.

P. C. :

Heard learned counsel appearing for the respective parties.

2. The petition is filed seeking directions to the respondents to forthwith release the petitioner's child from the illegal custody of respondent No.2. The petitioner and respondent No.2 got married on 21st May, 2012 and, during the wedlock, a son by name "Samar" was born on 21st November, 2012. Due to matrimonial dispute, the petitioner and respondent No.2 started residing separately. It is the case of the petitioner that the child "Samar" aged about 4 ½ years was in her custody. However, on 3rd April, 2017, respondent No.2 took illegal custody of the said child and, therefore, the present petition is filed.

3. As of today, the son – Samar is in the custody of the petitioner. Learned counsel for respondent No.2, on instructions, makes a statement that he has no objection if the custody of the child – Samar remains with the petitioner subject to the order of Court in a proceeding that may be filed by the petitioner before an appropriate forum. The statement is accepted.

4. In the light of above, learned counsel for the petitioner fairly stated that the petition is worked out. The writ petition is, accordingly, disposed of.

(SARANG V. KOTWAL, J.)

[RANJIT MORE, J.]