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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.4412 OF 2017

Smt. Rajeshwari Madabhushi ... Petitioner.

V/s.

State of Maharashtra and anr ... Respondents

Mr. A. S. Jondhale, I/by Jondhale & Co. for
the Applicant.

Mrs. A.S. Pai, APP for the Respondents.

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

DATE : 6th NOVEMBER, 2017.

P.C. :

- 1] Heard learned counsel for the petitioner and learned APP.
- 2] This petition is filed seeking custody of the Jahnvi a female child of one year and two months old. The petitioner claims to be the adopted parent of minor child Jahnvi.
- 3) In pursuant to the registration of L.A.C. No.60 of 2017, registered for the offence punishable under Section 420 of the Indian Penal Code and section 81 and 87 of the Juvenile Justice (Care and Protection of Children) Act, the petitioner voluntarily handed over the child to the police. Police then immediately informed C.W.C. that

the child has been handed over to Bal Asha Dham, Anand Niketan, KGVM, Mahalaxmi, Mumbai.

4] The said C.R. is registered against one Julia Fernandes and four others. The petitioner claims that she has taken the child from Latif Shaikh and Shabana Shaikh through Julia Fernandes.

5] The record, however, reveals that the actual biological parents of the child are Firoz Khan and Shabana Khan. The investigation also reveals that the petitioners have purchased the said child for an amount of Rs.2 lacs in violation of the provisions of Juvenile Justice (Care and Protection of Children) Act and the procedure laid down therein.

6] Faced with this difficulty, learned counsel for petitioner seeks leave to withdraw the petition with liberty to take out appropriate proceeding before appropriate authority in this regard.

7] Accordingly leave to withdraw the petition with liberty as prayed for is granted.

8] Petition is dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]