

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4575 OF 2014

Manoj Rajendra Sharma Petitioner
Vs.
The State of Maharashtra & Others Respondents

Mr. Ram Mani Upadhyay for the Petitioner.
Ms M.M. Deshmukh, APP, for the Respondent-State.
Mr. V.G. Ghosalkar, PSI, Worli Police Station, Mumbai,
present.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.

DATE : DECEMBER 08, 2017

P.C:

1. The petitioner is seeking the following reliefs:-

"(a) This Hon'ble Court be pleased to issue a writ of Habeas Corpus to Respondents to produce the Petitioner's wife namely Ritu Manoj Sharma and his one year old son namely Master Kanish, before this Honorable court.

(b) This Hon'ble Court be pleased to issue an appropriate Writ directing the Respondent No.2, 3 & 4 to bring and produce the status report on the complaint

of Petitioner dated 08/10/2014 i.e. Exhibit "c" & 27/10/2014 i.e. Exhibit "D".

2. Once the petitioner says that Ritu Manoj Sharma is his wife and Master Kanish is the issue/son from the wedlock but for some reason the wife and the minor son are residing separately, then, this is not the remedy of the petitioner. If the petitioner wishes to resume the matrimonial ties or snap them, his remedy lies elsewhere and in which as well he can obtain relief of access to the child or his custody. When all these remedies are available, then, this petition seeking a writ of habeas corpus cannot be entertained.

3. Ms Deshmukh, on instructions from the Investigating Officer present in the Court and attached to Worli Police Station, Mumbai says that the said police station has been contacted by Ritu Manoj Sharma and that the Investigating Officer will provide the details from where the call was made and where the said Ritu is residing and/or working for gain. Once this assistance is being provided by the concerned police station, then, all the more we are disinclined to entertain the writ

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petition. It is disposed of.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)