

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 39/2019.

Shakhavat Ali Qureshi and another

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S. Shahid, Advocate for the Petitioners.
Shri A.M. Balpande, A.P.P. for Respondent No.1.
Ms. S.H. Diwan, Advocate for Respondent Nos.2 & 3.

CORAM : Z. A. HAQ AND
VINAY JOSHI, JJ.

DATE : APRIL 30, 2019.

Heard.

2. By this petition, the petitioners sought writ of habeas corpus for production of 9 month old child, which according to them was in custody of respondent nos. 2 and 3.

3. Undisputedly, petitioners are the biological parents of minor child Aysha. Respondent Nos. 2 and 3 are residing in the neighbourhood of petitioners. While issuing notice of this petition, by order dated 08.03.2019, we had directed respondent nos. 2 and 3 to produce the minor child Aysha before this Court on

2

14.03.2019.

4. After hearing the learned Advocates for the respective parties, an order was passed on 14.03.2019, and it was directed that the custody of minor child Aysha be handed over to petitioner no.2 (biological mother).

5. On request made on behalf of the petitioners and respondent nos. 2 and 3, the matter was referred for mediation. The Coordinator, Mediation Center, High Court, has submitted report dated 12.04.2019, that the mediation is successful. The terms of settlement are reduced in writing and copy of it is also produced on record. The child is in custody of its biological parents.

6. Nothing is argued on behalf of respondent nos. 2 and 3 to contend that handing over of custody of minor child Aisha to petitioners [biological parents] as per orders dated 14.03.2019, is unjustified.

7. In the above facts, in our view nothing survives in the petition, the same is disposed. Needless to say that the custody of the minor child Aisha, shall continue to be with petitioners i.e. biological parents.

JUDGE

JUDGE

Rgd.