

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5991 OF 2019**

Sanjay Tarachand Hajare

... Petitioner

V/s.

Jaiprakash Digambar Yadav (Baniya) & Ors.

... Respondents

Mr. Vivek V. Salunke for Petitioner.

Mr. Shekhar Bhise i/b. Mr.Mangesh Nalavade for Respondent Nos.1 & 2.

Mr. Ajay Patil, A.P.P. for Respondent No.3 to 5-State.

PSI Mr.Sonawane and PSI Mr.Lemble, Charkop Police Station are present.

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.****DATE : 14th November 2022.****PC. :**

1. Heard learned Advocates for the respective parties. Perused all the Orders passed earlier to this and the report submitted by Ms.Vishakha N. Punjani, Counsellor, Pre-Litigation Center (Let's Talk).

2. In view of the deliberations which took place on earlier two occasions, the learned Advocates for the respective parties today submitted before this Court that the corpus, namely Ms.Khushi has been handed over in the custody of the Petitioner by Respondent Nos.1 & 2, who are the maternal grandparents of Ms.Khushi. It appears from the submissions advanced by the respective Advocates that, the transition of handing over of the custody from Respondent Nos.1 & 2 to the Petitioner is smooth. That Ms.Khushi is

comfortable in the custody of the Petitioner, who is her biological father.

3. Mr.Bhise, learned Advocate appearing for Respondent Nos.1 & 2 submitted that, Ms.Khushi is taking education in Sr.K.G. at Khandwa, State of Madhya Pradesh and her education may not be disturbed.

4. Mr.Salunke, learned Advocate for Petitioner, on instructions, submitted that, the Petitioner will take all the necessary and due care for the education of his daughter. Said statement is accepted.

5. In view of the above, nothing further survives in the present Petition and is accordingly disposed off.

6. It is however made clear that, the Respondent Nos.1 & 2 being the maternal grandparents of Ms.Khushi are entitled to visit the residential premises of the Petitioner for meeting Ms.Khushi. We expect that, the parties herein will maintain cordial relations by cooperating with each other for overall welfare of Ms.Khushi and avoid clashes of ego in the better interest of the child. The Petitioner, his mother, so also the Respondent Nos.1 & 2 are directed not to create any scene or indulge into bickering in presence of Ms.Khushi for her custody, for the betterment and for the future of Ms.Khushi.

7. Petition is disposed off in the aforesaid terms.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]