

Anand

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

WRIT PETITION NO. 292 OF 2023

Mrs. Rubini Deivamani

.Petitioner

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. Jigar Agarwal i/b. Ms Ashma Ashrafi, Advocate, for the
Petitioner

Ms M. H. Mhatre, APP, for the Respondent - State

**CORAM : SUNIL B. SHUKRE AND
ABHAY S. WAGHWASE, JJ.**

DATE : 08 MARCH 2023

P. C.

. Heard learned counsel for the Petitioner and the
learned APP for the Respondent - State.

2. It is not in dispute that a minor girl namely Krishika
is in the custody of Respondent No. 2, who is her biological father.
If that is so, custody of a minor girl held by her father cannot be
found to be illegal so as to enable this Court to issue writ of
Habeas Corpus. That apart, there is no order passed by the Civil
Court granting custody of the minor girl to the Petitioner, who is
her biological mother.

3. This Petition is, therefore, not maintainable and it is dismissed as such.

(ABHAY S. WAGHWASE, J.)

(SUNIL B. SHUKRE, J.)