

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

CRIMINAL WRIT PETITION NO. 606 OF 2023

Rekha W/o. Purushttam Rathod ... Petitioner

V/s.

The State of Maharashtra ... Respondent

Mr. Ratan L. Adhe h/f Mr. Sandip P. Rathod, Adv. for the Petitioner.

Mr. Y. M. Nakhwa, APP for the State/Respondent.

API Mr. Mansing Patil, Kharghar Police Station.

CWC Prerana Balika Sadan, Kharghar.

Aparna Jadhav, Bal Kalyan Officer.

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

DATED : MARCH 8, 2023

PC. :

1. We have heard this matter.
2. Learned APP has submitted to the Court a report dated 08/03/2023, which is taken on record and marked as "A" for identification, stating that the child has been traced out finally by the police from Akola Railway Station and now has been placed at Naunihal Prerana Ashram, Kharghar under the order of Child Welfare Committee (for short "**CWC**"), Karjat.
3. The girl child as well as the petitioner-mother of girl child, both are personally present before the Court. They submitted that the girl child, who was in the custody of CWC, has been kept at Naunihal Prerana Ashram, Kharghar.

4. Upon enquiry made by us, the girl child has expressed her intense desire to rejoin her parents and she has made a request for passing an order transferring her custody from CWC, Karjat to her parents.
5. The petitioner, who says that she is the mother of girl child and who has been identified by the learned Counsel, submits that she wants to take custody of her daughter immediately.
6. Considering the fact that as of now the girl child has been in the custody of CWC, Karjat, the learned APP is directed to make an arrangement to place the girl child before CWC, Karjat, being appropriate committee, which is seized of the matter and the said committee is directed to pass a suitable order regarding handing over the girl child to the appropriate custody in accordance with law, as far as possible today itself.
7. In view of above, we direct the Investigating Officer, Kharghar Police Station to place the girl before CWC, Karjat today for passing appropriate order.
8. In the light of observations made hereinabove, we also direct the petitioner to remain present before the CWC, Karjat for seeking custody of her daughter, in accordance with law.
9. The petition is disposed of on above terms.
10. Authenticated copy of the order be furnished to both the sides.

[ABHAY S. WAGHWASE, J.]

[SUNIL B. SHUKRE, J.]