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

CRIMINAL WRIT PETITION NO. 2126 OF 2023

Sonali Lakshman Naikawadi ... Petitioner

vs.

The State of Maharashtra and Ors ... Respondents

Ms. Bhagyashri Ranade i/b Mr Sachin Pawar, for the Petitioner.

Mr V.B. Konde Deshmukh, A.P.P for the State.

None for Respondent No.3.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATED : 10th JULY, 2023

P.C. :-

1. By this petition, petitioner has sought a writ of *Habeas Corpus* to produce her two minor children, one aged 1 year and other, aged 5 years. Vide order dated 28th June 2023, having regard to the age of the children and in particular having regard to the fact, that 1 year old child was being breast fed, when the children were taken by the Respondent No.3, we directed the police officer of the Nerul police station to produce the Petitioner's two minor children before us on 3rd July 2023 at

10:30 a.m. Pursuant thereto, the children were produced before us on 3rd July 2023. Matter was kept in the Chamber. Having regard to the age of the children and since there were no serious allegations as against the Petitioner that she is unable to look after the children, we handed over both the minor children to the Petitioner-mother.

2. Learned counsel for the Respondent No.3, had on the said date sought time to explore the possibility of an amicable settlement or whether the parties can be referred for Mediation. Accordingly, the matter was kept today under the caption '**for direction**'.

3. Today, learned counsel for the Petitioner submits that no proposal has been placed before the Petitioner for amicably settling the dispute.

4. Be that as it may be, since the petition has been worked out, as the custody of children is handed over to the Petitioner, for the reasons set out in the order as stated aforesaid, nothing survives for further consideration. Petition is accordingly disposed of.

5. Needless to state, that the parties are always at liberty to file appropriate proceeding before the appropriate forum for redressal of their grievance.

(GAURI GODSE, J.)

(REVATI MOHITE DERE, J.)