

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

CRIMINAL WRIT PETITION NO.112 OF 2024

Shankar Somaihi Godhumala	.. Petitioner
V/S.	
State Of Maharashtra And Ors	.. Respondents

Mr.S.R.Ghanavat for the petitioner.
Mr. A.A.Takalkar for the Respondent No.1 & 2-State.

**CORAM : A. S. GADKARI &
SHYAM C.CHANDAK, JJ.
DATED : 15th JANUARY, 2024.**

P.C. :

1) It is an admitted fact on record that, the Petitioner, father of Master Kushal Godhumala and Nishal Godhumala was well aware about their whereabouts. The Petitioner had issued legal notice dated 19th December, 2023 to the Respondent No.3, whereupon in her reply dated 29th December, 2023 the Respondent No.3 had requested the Petitioner to take her back to the matrimonial house, as she wanted to cohabit with him. The two children are in lawful custody of Respondent No.3 who is their biological mother.

2) In view of the aforesaid facts, the dispute herein appears to be of matrimonial in nature between the parties. Hence, the parties may approach the Family Court, Mumbai to resolve their dispute.

**JYOTI
RAJESH
MANE**

Digitally signed
by JYOTI RAJESH
MANE
Date: 2024.01.18
19:30:20 +0530

- 3) Petition is disposed off in the aforesaid terms.
- 4) It is made clear that, disposal of Petition may not be termed as an impediment to the Petitioner for seeking custody of the children or seeking visitation rights of them in the Family Court.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)