

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 773 OF 2024**

Tabassum Javed Idrisi Nee Tabassum Imran Menon ... Petitioner

V/s.

The State of Maharashtra & Anr. ... Respondents

Adv. Ajit J. Kenjale, Advocate a/w Sohil Gualabani, Azharuddin Khan and Prachi Deokar for Petitioner.

Ms. A.A. Takalkar, A.P.P. for Respondent No.1-State.

Adv. Aarti R. Dharamsey a/w Ashwin Bhagwat for Respondent No.2.

PSI Mr. Samadhan C. Kengar, attached to Nayanagar Police Station, Mira Raod East.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 15th APRIL 2024

P.C. :

(1) As noted in Order dated 20th March 2024, as per our direction, custody of corpus, namely, Ms. Mahum, aged 4 years, is already handed over to the Petitioner in Court itself. As per further directions, local police are providing round the clock protection to the Petitioner.

(2) Learned A.P.P., on instructions from PSI Mr. Samadhan C. Kengar, attached to Nayanagar Police Station, Mira Raod East, submitted that, Petitioner has addressed a letter dated 29th March, 2024, stating that, she was intending to go to Pune and therefore she was not desirous of having police protection for one week. Learned A.P.P. however submitted that, there

is no further need to provide round the clock police protection and submitted that, in case of any adverse condition, the local police will immediately help the Petitioner.

(3) In view thereof, we permit the Commissioner of Police, Mira-Bhayander, Vasai-Virar Police Commissionerate, to withdraw round the clock police protection provided to the Petitioner in pursuance of Order dated 20th March, 2024. We further direct Senior Inspector of Police, Nayanagar Police Station, Mira Road (East), to extend timely help to the Petitioner, if required, on her apprehension from Respondent No.2.

(4) Respondent No.2 is at liberty to file appropriate proceeding(s) before the concerned Family Court or Court of Competent Jurisdiction, seeking custody of their daughter.

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

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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