

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

CRIMINAL WRIT PETITION NO.110 of 2024

Shishir Shirolkar S/O
Kamalnayan Shirolkar

.. Petitioner

V/s.

State of Maharashtra & Ors.

.. Respondents

Mr. Shahan Farasat i/b. Bimal Rajasekhar for the Petitioner.

Ms. A.A.Takalkar for the State-Respondent No.1.

Mr. A.S. Khandeparkar, Senior Advocate a/w. Apoorva Khandeparkar a/
w. Mr. Farhan Shaikh a/w. Mr. Rushikesh Bhagat a/w. Mr. Saurabh
Mittal for Respondent No.2 & 3.

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

DATE : 15th JANUARY, 2024.

P.C. :

- 1) Heard learned counsel for the Petitioners.
- 2) As per the contention of learned counsel for Petitioner arguable questions are involved in the Petition.
- 3) Hence Admit.
- 4) The Petitioner is well aware about the whereabouts of his daughter Ms.Lara, who is aged about 6 years. It is an admitted fact on record that, Ms.Lara is in custody of her biological mother, Respondent No.2.

**JYOTI
RAJESH
MANE**

Digitally signed
by JYOTI
RAJESH MANE
Date: 2024.01.22
13:21:33 +0530

5) Record indicates that, the parties herein have already adopted proceedings before the Family Court for the custody of the said child and same are subjudiced.

6) Grant of interim relief would amount to allowing the Petition at the stage of admission itself, hence, interim relief is rejected.

7) However, we grant liberty to the Petitioner to pursue his remedy in respect of custody of his daughter Ms.Lara Shirolkar before the Family Court.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)