

rajshree

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

CRIMINAL WRIT PETITION NO.1880 OF 2024

Vanitha Ashok Shetty & Anr.	]	..	Petitioner
vs.			
Saritha Sunil Rao & Ors.	]	..	Respondents

Mr.D. Mhaispurkar a/w H.K. sudhakara i/b HKS legal for the Petitioners.
Mr.Kumar Tolani for Respondent No.1.
Ms.M.M. Deshmukh, APP for the State.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 07th AUGUST, 2024.

P.C.

1] In compliance of the earlier order dated 29.07.2024, it is informed that the Petitioners met their father in presence of Respondent No.1 and the meeting was very cordial.

When they specifically enquired, with the father as if he want to accompany them, he expressed that he was happy with Respondent No.1 and do not want to move with them.

2] Though the learned counsel for the Respondents is insisting upon availing video access, considering the old age of the father and since we are informed that he is nearing 94 years and since we are of

the considered opinion that the video conferencing or virtual meetings may be appropriate, for official meets, but definitely they do not serve the purpose, when actually the children meet their father or vice versa.

3] The Respondent No.1 is the sister of Petitioner No.1 and 2, but in the wake of an incident, when Petitioner No.2 had filed a complaint against her, Respondent No.1 and her family members, through the learned counsel has expressed serious apprehensions.

However, there can be a solution to this.

The solution being, at the time of visit of the Petitioners in the house of Respondent No.1, the CCTV cameras in the hall shall be kept on and continue to remain in operation throughout the meeting and this will ensure safety and security for all those who are present, so that no aspersions are cast.

The learned counsel for the Petitioners also undertake that they will not indulge themselves into any untoward act, keeping in mind that Respondent No.1 is their sister and she is taking care of their father.

4] With this understanding, we deem it appropriate to permit the Petitioners, alongwith their family members, to have access to the father in the residential house of Respondent No.1 on first Sunday of every month for two hours, between 11.00 am to 1.00 p.m.

It should be kept in mind that in no way they shall create any unpleasant atmosphere in the house and preferably, the Respondent No.1 shall leave father in the company of the Petitioners, at the time of the meeting.

In addition, the Petitioners are permitted to avail access to their father telephonically twice in a month, as per his convenience.

Further, Respondent No.1, shall also keep the Petitioners

updated about any health issue of their father or in case if he is hospitalized.

5] With this understanding being recorded Writ Petition stand disposed off.

[MANJUSHA DESHPANDE, J]

[BHARATI DANGRE, J]