

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2364 OF 2024**

Sahil Rahu Gilani .. Petitioner
Versus
State Of Maharashtra And Anr. .. Respondents

WITH**INTERIM APPLICATION NO. 2483 OF 2024**

Pernia Sahil Gilani
Nee Pernia Moin Qureshi .. Applicant

In the matter between :

Sahil Rahu Gilani .. Petitioner
Versus
State Of Maharashtra And Anr. .. Respondents

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Mr. Aabad Ponda, Senior Counsel a/w Adv. D. V. Deokar, Adv.
Faiza Shroff Garg, Mr. Sachin Pandey i/b Faiza Shroff Garg, for
the Petitioner.

Mr. D. J. Haldankar, A.P.P. for the State/Respondent.

Mr. Harish Salve, Senior Counsel a/w Ms. Taubon F. Irani, Mr.
Danish Choudhary i/b Ms. Taubon F. Irani, for the Respondent
No.2.

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

DATED : 3rd SEPTEMBER, 2024

P.C:-

1. The learned senior counsel Mr. Salve, representing the Respondent No.2 has raised an issue of maintainability of the Petition before this Court.

In addition, the Order passed by the Judge/Family Court No.2, District South, Saket, New Delhi, dated 31.08.2024, is also placed before us, where the Respondent (Petitioner herein) is restrained from forcibly removing the child from the custody of the Petitioner, till the next date.

2. The learned senior counsel Mr. Ponda, however make a grievance that this is an ex-parte order which is obtained, and in any case he will be contesting the order passed by the Court by filing his reply/necessary application.

By consent, re-notify to 18.09.2024 at 3.30 p.m.

3. The arrangement worked out between the parties, which is recorded in the order dated 02.08.2024, except the Condition No.(ii) and (iii), shall continue, which will also include the video-access as indicated in para No.2 of the Order. In addition, we direct that the child shall not be removed out of India, till 18.09.2024.

(MANJUSHA DESHPANDE, J.)

(BHARATI DANGRE, J.)