

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2528 OF 2024

Somnath Dnyaneshwar Dhuri .. Petitioner
Versus
The State of Maharashtra and Ors .. Respondents
...

Ms. Swapna Kode (thr. VC) for the petitioner.
Mr. Vijay Garad for respondent nos.2, 3 and 4.
Respondent no. 2, along with child and respondent nos.3 and 4
present in before the Court.

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 27th JUNE, 2024

P.C:-

1 As directed earlier, Mrs. Shweta Somnath Dhuri, the respondent no.2, is present along with the child Sai and when we interacted with her, she informed that at present she is staying with one of her friend, but within two days she will shift to her parents house i.e. the house of respondent nos.3 and 4.

Since we have noticed that the child is safe in her custody, we do not desire to entertain the present Writ Petition seeking issuance of Writ in the nature of Habeas Corpus to secure his presence, as the child is present before the Court.

At the same time, the petitioner being the father of the minor child is also entitled to know his whereabouts and therefore, the respondent no.2, Shweta has undertaken to continue to reside with

her parents house i.e. B-68, Shashtri Nagar, near Shiv Temple, Pratiksha Nagar, Sion, Mumbai, and in case of any change in her address, she shall keep Wadala T.T. Police Station apprise about the same.

2 Mrs. Shweta, has also agreed that she would permit to the petitioner to meet the child on every Sunday between 4:00 p.m to 6:00 p.m., in Chintamani garden, Sion, which is located near her parental residence and which is also closer for the petitioner. It is open for the respondent no.2, to be present in the garden along with the child, but the child shall be permitted to be independently in the company of his father for the period of two hours.

With this aforesaid direction, the Writ Petition stands disposed off.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)