

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2760 OF 2024

Prachi Somesh Raykar .. Petitioner

Versus

The State Of Maharashtra And Anr. .. Respondents

...

Mr. Nitesh Mohite, for the Petitioner.

Ms. M. M. Deshmukh, A.P.P. for the State/Respondent.

Mr. Sachin R. Pawar a/w Mr. Pradeep Kolekar, for the
Respondent No.2.

...

CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 6th AUGUST, 2024

P.C:-

1. In compliance of our earlier directions permitting the Petitioner to visit the children, it appear that the access was not very fruitful. The counsel for the Respondent No.2 himself has furnished certain photographs to us, from where we can conclude that the Petitioner was not permitted an entry inside the house and in the photographs the twins are seen in the company of the family members of the Respondent No.2.

What we intended by availing access is an

independent access by the mother with the twins who are approximately 2½ years old. The argument that the children were not comfortable with her appear to be only a pretext and since from the photographs it is evident that their father alongwith his other relatives were near the children and no one can expect them to bond with the mother immediately.

2. In the aforesaid circumstance we deem it appropriate that on Wednesday i.e. on 07.08.2024 and Saturday i.e. on 10.08.2024, the Respondent No.2 shall drop the children at the entrance of Phoenix Mall, Pune, at around 5.00 p.m. and thereafter the Petitioner is permitted to take the children inside and hang around with them up to 7.00 p.m., when she shall drop them at the gate to be picked up by their father. Upon the progress of this access, we shall consider the future course of action in the Petition filed for Habeas Corpus.

Re-notify to 13.08.2024.

(MANJUSHA DESHPANDE,J.)

(BHARATI DANGRE, J.)

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