

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2872 OF 2024

Dheeraj Tukaram Dhutmal .. Petitioner
Versus
The Commissioner of Police and ors .. Respondents
...

Adv. Nachiket Kulkarni for the petitioner.
Adv. Tejas Dhotre a/w Manoj Sabale for respondent no.4.
Mr. J.P. Yagnik, APP for the State.

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 26th JULY, 2024

P.C:-

1 The petition is filed for production of a minor child born out of the wedlock between the petitioner and respondent no.4, deserve a disposal, in the wake of an understanding arrived between them.

It is the claim of the petitioner, father of the child aged 7 years that on 14/06/2024, the respondent no.4 left the matrimonial home along with the child and since he has not seen the child.

The respondent no.4, has filed a detailed affidavit, highlighting the circumstances, which compelled her to leave the house of the petitioner. Presently she is in the company of her mother and residing at Parbhani. In paragraph no.23 of the affidavit, she has made a categorical statement that, she has filed an application to the Principal of a School in Parbhani, for admitting her son and

accordingly, he has been admitted in Golden Dream English School and Junior College, Pathri and currently pursuing his education.

2 It is evidently clear that, the child is with the mother and the learned counsel representing her, expresses no hesitancy in permitting the petitioner to visit Parbhani and meet the child preferably on Sunday during the day hours. In addition, he has also instructions to make a statement that, if the petitioner is desirous of talking to the child on telephone or see him through video conferencing or Whats app call, she will not deny the same.

3 With this understanding being recorded, and to be abided by till appropriate steps are taken for seeking custody of the child by the petitioner, the present petition is disposed off.

(MANJUSHA DESHPANDE,J)

(BHARATI DANGRE, J.)