



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1 CRIMINAL WRIT PETITION NO. 86 OF 2025

MEHWISH MOIZ TICKETWALA (MEHWISH ASHRAF MOTIWALA)

VERSUS

THE UNION OF INDIA AND OTHERS

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Advocate for the Petitioner : Senior Advocate Mr. Rajendra
Deshmukh, a/w Mr. R. G. Dordiya i/b Mr. V. V. Jahagirdar
APP for Respondents-State: Mr. G. A. Kulkarni

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**CORAM : SMT. VIBHA KANKANWADI AND
MANJUSHA DESHPANDE, JJ.**

DATE : 10th FEBRUARY, 2025

ORDER :

1. Heard learned Senior Counsel Mr. Rajendra Deshmukh instructed by Shri. V. V. Jahagirdar and perused the documents.

2. Only important dates which are necessary for our consideration are that as per the petitioner, she had gone to Texas (United States of America) for delivery and returned to Mumbai on 11.09.2024 and thereafter, on 18.09.2024, she came to Aurangabad. The petitioner and respondent No. 5 are the husband and wife and they have a girl child of 2.5 years and the second is son. When petitioner went for delivery to Texas (United States of America) on the second occasion, she admits that she had kept the daughter with husband and then, learned Senior Advocate points out the WhatsApp message from husband threatening her to come down otherwise he

would take the girl child alongwith him to Dubai, United Arab Emirates.

3. It is stated that the relationship between petitioner and respondent No. 5 became strain and there are proceedings which she has filed in Aurangabad including offence under Section 498-A of the Indian Penal Code. Though it is stated that inspite of Bhartiya Nyaya Sanhita coming into force, it is registered under the old Act. It is stated that respondent No. 5 leave for Dubai alongwith girl child on 05.12.2024 from Mumbai.

4. Now, present petition has been filed for issuance of writ of habeas corpus. We are of the opinion that taking into consideration the above facts, the petition would lie before the Principal Seat of this Hon'ble High Court and therefore, the present petition is transferred to the Principal Seat, Bombay High Court, Mumbai.

5. Learned Registrar (Judicial) of this Court to take necessary steps.

[MANJUSHA DESHPANDE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE