

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO.4605 OF 2025**

|                                            |   |                    |
|--------------------------------------------|---|--------------------|
| <b>Sunil Bhimrao Shejale</b>               | ] | <b>Petitioner</b>  |
| <b>versus</b>                              |   |                    |
| <b>The State of Maharashtra and others</b> | ] | <b>Respondents</b> |

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Mr. Vaibhav Ugale (through V.C) a/w Mr. Rutik A. Kashid, for  
Petitioner.

Mr. Priyanka Rane, A.P.P, for Respondent – State.

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**CORAM : M.S. KARNIK &  
AJIT B. KADETHANKAR, JJ**

**DATE : 24<sup>th</sup> NOVEMBER, 2025.**

**ORAL ORDER: [PER AJIT B. KADETHANKAR, J.]:**

1. Heard Mr. Ugale, learned Counsel for the Petitioner and Ms. Rane, learned A.P.P for Respondent – State.
  
2. By the present petition, the Petitioner – husband seeks following substantive relief which is reproduced below:

*a) That this Hon'ble Court be pleased to pass appropriate writ, order and directing the respondent no 1 and 2 to forthwith find out the where about of the said minor daughter and produce the saanvika by name age about 13 years before this Hon'ble Court and after such production, pass appropriate order as regards to the custody of the daughter on such terms as this Hon'ble Court may deem fit and proper".*

3. While the marital bond was in existence between the Petitioner and the respondent No.3 - wife, a daughter is begotten thereof. Subsequently differences cropped in between the Petitioner and the wife which ultimately resulted into legal severance by amicable settlement. As per the terms of amicable settlement attached to the petition paper book, custody of the daughter was to remain with her mother i.e. Petitioner's wife. The Petitioner was entitled for visiting rights.

4. Petitioner contended that since a long time he neither had been allowed to visit the daughter nor the whereabouts of his daughter are made known to him. As such, the panic father has approached this court seeking a writ of *habeas corpus*.

5. During the course of hearing, learned Counsel for the Petitioner, on instructions, seeks leave to withdraw the present petition with liberty to pursue appropriate legal remedies for the visiting rights to his daughter in terms of the mutual consent terms those were executed in Petition No.A -2542 of 2018 before learned Family Court, Bandra, Mumbai. Learned Counsel for the Petitioner would also seek leave to pray for taking appropriate legal recourse against the Respondent No.3 - wife for violation of the terms of settlement.

6. Leave as prayed for is granted. Petition is allowed to be withdrawn.

7. The petition is disposed of as withdrawn keeping all contentions open.

**[AJIT B. KADETHANKAR, J.]**

**[M.S. KARNIK, J.]**