

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.634 OF 2025

Pooja Abhijit Dhanashetty @ Pooja Suresh
Shinde

.....Petitioner

Versus

The State of Maharashtra
and others

.....Respondents

Mr. Prashant Pandey, Advocate a/w. Dinesh Jadhav, Ridhima,
Pramod Sharma i/b. W3LEGAL LLP for the Petitioner.

Smt. M.M. Deshmukh, APP for the Respondent Nos.1 to 3-
State.

Mr. Vikas Shivarkar, Advocate for the Respondent Nos.4 to 6.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 2nd APRIL, 2025

P.C. :

1. This is a *habeas corpus* Petition. The fight is between husband and wife for custody of the children. We are informed that the wife had already approached the Family Court for custody of their children. The Family Court is seized of the matter. Therefore, we request the learned Judge in-charge of that particular application to decide the issue of custody at the earliest. It shall be decided independent of the

fact that the present Petition for *habeas corpus* is pending before this Court.

2. Shri Pandey wants to argue on certain legal aspect about maintainability of the *habeas corpus* Petition in such situation and also to raise other issues. We have kept a group of matters on 15.4.2025 where similar issues are raised. Therefore, the office is directed to list this matter on admission board on 15.4.2025 at 10.30 a.m..

3. In the meantime, the Family Court shall proceed to decide the custody application preferred by the Petitioner herein as early as possible. It shall be decided in accordance with law and on the merits of the matter.

4. Stand over to 15.4.2025.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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by
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