

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 818 OF 2025

Anand Yashwant Ghamande .. Petitioner

Versus

State of Maharashtra & Anr .. Respondents

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Mr. Arun K. Rajput with Vishnu Wani i/b Rahul Tiwari for the petitioner.

Mr.Vaibhav G. Bagade for the respondent.

Mr.S.R. Agarkar, APP for the State.

CORAM : BHARATI DANGRE &
SHYAM C. CHANDAK, JJ
DATED : 8th DECEMBER, 2025

P.C:-

1 The petition seeks the issuance of a writ of certiorari directing the implementation of the order passed by the Family Court No. 4, Pune, on 17/01/2025. Another relief sought in the petition is for issuance of writ of habeas corpus directing respondent nos.2 and 3 to produce the child in the Court, and grant custody to the petitioner forthwith.

2 The invocation of the jurisdiction of this Court for challenging the order of the Family Court on one hand and securing presence of the corpus before the Court so that the custody can be handed over to the petitioner, the father of

minor child, cannot be entertained for two reasons; first being there is already an order passed for granting visitation rights to the petitioner and if there is non-compliance of the said order, the remedy lies somewhere else.

In the wake of the fact that the petitioner is conscious of the fact that the child is with the mother and that is reason he sought visitation rights from her, which were granted to him, according to him, we do not think that the prayer for issuance of writ of habeas corpus for production of the child shall be entertained by us in exercise of writ jurisdiction.

Writ Petition is therefore, dismissed.

(SHYAM C. CHANDAK,J)

(BHARATI DANGRE, J.)