

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2055 OF 2025

Bharat Lakshman Singh Thakur .. Petitioner
Versus
Vandana Bharat Thakur and ors .. Respondents
...

Adv. Rimpal Trivedi a/w Adv. Harshidu Bhanushali, Adv. Kanchan Kori for the petitioner.

Adv. Mrunal Surana, for respondent nos.1 to 6.

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

**CORAM: BHARATI DANGRE &
SHYAM CHANDAK, JJ.**

DATED : 26th NOVEMBER, 2025

P.C:-

1. In the wake of order dated 11/11/2025, the petitioner has visited Bhopal on 15th and 16th November, 2025, at the residential premises of respondent no.1.

Though the learned counsel for the petitioner make a grievance that the access was not to the exclusion of other family members and the mother continued to remain there, an explanation come from the mother, that the child was not comfortable and therefore she wandered around.

2. In any case, we do not want to get into the niceties, as we now find that the petitioner has already instituted a custody petition in the District Court, Kalyan and an application for access is also filed.

In this situation, since we find that the petitioner is staking custody of his own child in the wake of the medical condition of the mother, and the application shall be decided including interim application if any filed to avail the access, we direct the arrangement worked out in the order dated 11/11/2025, to continue for further period of eight weeks.

It is agreed between the parties that the petitioner shall be permitted to visit Bhopal on second and fourth Saturday and Sunday and subject to the routine schedule of the child on these days, he shall be permitted to pick up the child from the residence of respondent no.1 and on availing the access for three hours in continuation, the child shall be returned to the mother.

It is made clear that the father shall not avail any overnight access and return the child after availing the access.

With these directions, the petition stands disposed of.

3. We must clarify that, we have not decided upon the legality or otherwise of the entitlement of the father to avail the access, but only by way of an interim arrangement, till the access application is decided, we have issued the aforesaid direction.

(SHYAM C. CHANDAK,J)

(BHARATI DANGRE, J.)