

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

CRIMINAL WRIT PETITION NO. 2132 OF 2025

Ehthisham Kabeer

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Kalim Ansari a/w. Tuba Khan for Petitioner.

Mr. S. R. Agarkar, APP for State/Respondent.

Ms. Farha Khan a/w. Tabish Jamdar i/b. Usama Memon for Respondent No.2.

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

DATE : 30 APRIL 2025

PC :

1. The Respondent No.2 is present in the Court with her son aged 6 years.

2. Learned counsel for the Petitioner does not press this petition for *habeas corpus*. He submitted before the Court that, he has already filed the proceedings for custody of his son in the Family Court, Bandra, Court No.6, vide the proceedings No. D-46/2025. The next date of listing is 02.05.2025. He submitted that, it was difficult to locate the Respondent No.2. and to serve notice of these proceedings. However, the Respondent No.2 is present in the Court

along with her Advocate.

3. Learned counsel representing the Respondent No.2 undertakes to file her *Vakilpatra* during the course of day. Learned counsel for the Respondent No.2, in presence of the Respondent No.2 in the Court, on her instructions states that the Respondent No.2 will appear before the Family Court, Bandra, Court No.6, in connection with case No.D-46/2025, on 02.05.2025 and shall participate in those proceedings. The statement is recorded and accepted.

4. Learned counsel for the petitioner does not press this petition.

5. Considering the reasonable stand taken by both the sides, the petition is disposed of as not pressed.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)