

Gaikwad RD

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.3013 OF 2025**

Priyanka Jayprakash Hardikar	...Petitioner
<i>Versus</i>	
State of Maharashtra & Ors.	...Respondents

Mr. Firoza Daruwala i/b Ms. Prabha Badadare a/w Ms.
Aayusha Geruja, *for the Petitioner.*
Dr. Shubhranshu Kumar, *for the Respondent No.2.*
Mr. P. P. Shinde, *APP for the Respondent No.2.*
Ms. P. P. Shinde, *APP for the Respondent-State*

CORAM	Dr. Neela Gokhale, J. Manjusha Deshpande, J. (Vacation Court)
DATED:	6 th June 2025

PC:-

1. By way of this Petition, the Petitioner seeks issuance of a Writ of habeas corpus with a direction to the Respondent Nos. 2 and 3 to produce the Respondent No. 4- Prishita Kumar (minor child), aged about 6 years before this Court and return her custody to the Petitioner mother.
2. The Respondent No.2 is present on VC along with the

minor daughter. We interacted with the Respondent No.2- and the minor daughter.

3. There is a proceeding pending before the Family Court, Bandra for divorce and custody of the minor daughter filed by the Petitioner against the Respondent No.2.

4. Since the whereabouts of the minor daughter are known to be with the Respondent No.2-viz the biological father of the child and we have also seen her on VC with the Respondent No.2 in his house in Delhi, we are not inclined to pass any order in the present Petition. However, the Respondent No.2 states that he will allow the Petitioner mother access to the child i.e. he will allow her to meet the child at his house in Delhi and also permit her to speak to the daughter on phone as well as through VC facility. He also states that he will bring the daughter to Mumbai on Saturday to enable her to attend her school. He will allow the Petitioner to meet the daughter at his house in Mumbai.

5. Statements are accepted.

6. Since the matter pertaining to custody and divorce is

already pending before the Family Court, we request the Family Court to hear the Application made by the Petitioner for interim custody of the child expeditiously.

7. The Petition is accordingly disposed off in the aforesaid terms.

(Manjusha Deshpande, J.)

(Dr. Neela Gokhale, J)

Digitally
signed by
SHAMBHAVI
NILESH
SHIVGAN
Date:
2025.06.06
18:40:38
+0530