

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

WRIT PETITION NO.4056 OF 2025

Bhavini Umre

....Petitioner

Versus

Union Territory of Dadra and
Nagar Haveli and Daman and
Diu & Ors.

....Respondents

Mr. Bhavesh Parmar a/w. Mr. Rajesh Sahani i/b. Mr. Devmani
Shukla for the Petitioner.

Mrs. Bhavini Umre, Petitioner present in person.

Mr. Aayush Kedia a/w. Mr. Shantanu Thorat i/b. Mr. H.S.
Venegavkar for Respondent Nos.1 and 2.

CORAM : RAVINDRA V. GHUGE

&

GAUTAM A. ANKHAD, JJ.

DATE : 24th JULY, 2025

P.C. :-

1. This Petition has been filed by the mother of a six year
old girl child, invoking a Writ of Habeas Corpus.

2. Since we had granted circulation in this matter urgently
within 24 hours, the Petitioner has issued a notice to Respondent
No.1, Union Territory of Dadra and Nagar Haveli and Daman and
Diu, Respondent No.2, Officer-in-charge, Silvassa Police Station
and Respondent No.3, the father of the child who is the estranged
husband of the Petitioner, Mr. Paritosh Umre. All of them have been

served through email attachments. The Petitioner is filing the affidavit of service.

3. Copies of the Advocate's email notices, along with the original service affidavit (17 pages), are tendered by way of a compilation. The same is taken on record and marked as 'X' for identification.

4. The learned Advocate representing the Union Territory of Dadra and Nagar Haveli and Daman and Diu has caused appearance on behalf of Respondent Nos.1 and 2. Respondent No.3 is neither present in person before the Court, nor available through the video conferencing mode. Despite his name being called out by the Court Sheristedar in the open Court, there was no response.

5. It is conveyed to us by the Petitioner that considering the marital discord, proceedings between the husband and the wife are pending before various fora. On 25th February, 2025, the first incident of the father abducting the minor daughter from the custody of the mother, has been recorded. In OMA No.26 of 2025, the learned Magistrate passed an order on 27th February, 2025 issuing a search warrant. On 1st March, 2025, the learned Magistrate disposed

off the proceedings considering the Purshis that was filed. Vide the Purshis, the husband has agreed for equal guardianship and custody of the child. He also agreed to give the temporary custody of the child, Dhivisha, to the Petitioner wife for her day to day care and nurturing, until the issue of final custody is decided by the Court. The Purshis dated 1st March, 2025 (wrongly typed as “1st February, 2025”) is placed on record at page no.27 of the Petition paper book.

6. On 17th July, 2025, the second incident of abduction, which is the subject matter of this Petition, has occurred. Colour printout of the photographs are placed on record from page nos.39 to 49. The photographs carry the date and time and indicate the sequence of events. From the said photographs, it is *prima facie* evident that four to five unknown persons have physically lifted the six year old girl child and put her in a Car, which is at page no.47 of the Petition paper book, and whisked away. Respondent No.3 father is also seen pushing his father-in-law in order to take the child in his grip. The father-in-law has fallen to the ground and Respondent No.3 is also assisting in physically lifting the child.

7. In view of the above, we need to react swiftly in the light of a complaint lodged by the mother immediately on the same

day with Respondent No.2 Police Station. It is contended that there has been no response from the Police Authorities. A second complaint was lodged on 19th July, 2025. Yet, no action has been taken till date. This is atrocious.

8. In view of the above, we direct Respondent No.2 to ensure the physical presence of the child, Dhivisha, before this Court on 25th July, 2025 and to personally appear in Court on the said date.

9. The learned Advocate appearing for Respondent Nos.1 and 2 submits that the above directions would be complied with, without any excuse.

10. Stand over to 25th July, 2025 at 3.00 p.m.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)