

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

CRIMINAL WRIT PETITION NO. 5073 OF 2025

Smt. Preetha Chakraborty
V/s.

.... Petitioner

The State of Maharashtra and Ors.

.... Respondents

Mrs. Kalpana Trivedi a/w. Mr. Kushal Harnesha and Ms. Yashika Jain
for the Petitioner.

Ms. Supriya Kak, APP for the Respondent – State.

Mr. Jayanta Narayan Chatterjee, Sr. Advocate and Ms. Paranita
Mukhopadhyay for Respondent Nos.4 to 8.

Ms. Shilpa Duthade, IO and Mr. Bajarang Desai, PSI, Samata Nagar
Police Station, present.

**CORAM : SARANG V. KOTWAL AND
SHYAM C. CHANDAK, JJ.**

DATED : 07th OCTOBER, 2025

P.C. :-

. The Petition is filed by a mother of a seven year old daughter who, according to her, is in custody of the Respondent Nos.4 to 8. The Respondent No.4 is the husband of the Petitioner and the father of the child.

2) Some legal issues are raised by the learned Counsel for the Respondent Nos.4 to 8 regarding maintainability of the Petition. The learned Counsel for the Petitioner will have to address those issues.

3) Learned Counsel for the Respondent Nos.4 to 8 submitted that the Petitioner has already taken steps for obtaining custody of the child

through the proceeding under the Guardians and Wards Act.

4) Before this matter is heard further, in our opinion, it would be in the interest of the child as well as the mother – Petitioner that they meet each other atleast for some days for some time. Therefore, by way of ad-interim order, following Order is passed :-

(a) The Petitioner - mother who is at present in Kolkata, shall come down to Mumbai between 27/10/2025 to 31/10/2025. During that period, the Respondent No.4 – father shall arrange to take the child to the Family Court premises at Bandra between 03:00 p.m. to 05:00 p.m.

(b) The Principal Judge of the Family Court at Bandra shall appoint a Counsellor to supervise the meeting between the Petitioner and her seven year old daughter, without interfering with their interaction.

5) The matter be listed on **18/11/2025** 'for further consideration'.

6) All the contentions of both the parties are left open.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

PREETI
HEERO
JAYANI

Digitally signed by
PREETI HEERO
JAYANI
Date: 2025.10.08
18:56:31 +0530