

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

CRIMINAL WRIT PETITION NO.5585 OF 2025

Manisha Nagnath Kawle

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Ms. Racheeta Dhuru with N. H. Naik for the Petitioner.

Mr. S. R. Agarkar APP for the Respondent-State.

Mr. Bhavesh Magam with Vishal Chavan for Respondent Nos.2 and 3.

Mr. Deepak Thorat, PSI, Oshiwara police station present.

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

DATE : 25th NOVEMBER, 2025

P.C:-

1) In yet another Petition filed for issuance of a Writ of Habeas Corpus, seek production of the minor son of the Petitioner before the Court, along with a relief of grant of lawful custody of the child to her, she being the natural mother and primary caregiver, by taking into consideration the welfare of the minor child.

2) When we pointed out to the learned Counsel for the Petitioner, that if custody is to be sought, the remedy of the Petitioner lies before the Competent Court, she undertakes to institute proceedings before the Competent Court as regards the claim of custody of the child.

It is, however, brought to our notice that the Petitioner being a

mother, is denied access to her child aged six years, and she apprehends that if much time lapses, since she get to meet her own child, the relationship between the two may undergo a change and we appreciate her concern.

In order to avoid such contingency, we direct Respondent No.3 to permit the Petitioner to have access to the child as mutually decided between the Counsel in the Family Court at Bandra on every Sunday between 12.00 noon to 3.00 pm.

This access shall be availed for a period of 12 weeks without any interruption, but in the meantime, we expect the Petitioner to file appropriate proceedings and seek extension of this order or any other appropriate order from the Competent Court.

3) Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)