



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 769 OF 2023

[Gita Tukaram Kale **vs.** The State of Maharashtra, through the
Additional Commissioner of Police, Crime Branch, Nagpur City and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. L. Kadu, Advocate for the petitioner
Mr. I. J. Damle, APP for the State/respondent nos. 1 to 3

CORAM: ANIL L. PANSARE AND
SIDDHESHWAR S. THOMBRE, JJ.

DATED : 01-10-2025.

Heard.

2. The petitioner seeks direction to the respondents to hand over custody of minor daughter to the petitioner. The custody as of now is with respondent no. 3 and, therefore, the counsel for petitioner submits that prayer should be read accordingly. Such a prayer without there being any substantive relief upon which such prayer is made cannot be granted.

3. At this stage, learned counsel for the petitioner has invited our attention to Annexure – C, which is application dated 13-9-2023 made by the petitioner before the respondent no. 3 seeking custody of the child. The grievance of the petitioner is that her application has been not decided.

4. Learned Additional Public Prosecutor has tendered reply and submits that the application has been decided on 25-10-2023. Copy of order is annexed with the reply as Annexure – 5. Learned counsel for the petitioner seeks permission to avail remedy as is available in law against said order. Liberty is granted.

5. The petition is disposed of accordingly.

(S. S. THOMBRE, J.)

(A. L. PANSARE, J.)

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