IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 206 OF 2026

Natasha Santosh Kumar … Petitioner

V/s.

Santosh Kumar …. Contemnor

WITH

CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION NO. 220 OF 2025

WITH

INTERIM APPLICATION NO.1899 OF 2025

PRACHI PRANESH NANDIWADEKAR
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Date: 2026.10.17 11:44:48 +0530

Santosh Kumar … Applicant

V/s.

State of Maharashtra …. Respondent

Ms. Seema Sarnaik, Senior Advocate a/w Mr. Vinod P. Sangvikar, Ms. Saima S. Shaikh and Ms. Sanika R. Said i/by Mr. Yogesh Morbale, for the Applicant in Revision Application and Interim Application.

None for the Respondent-State.

Mr. Santosh Kumar, Respondent in-person (through VC) present in CP/206/2026.

CORAM : MADHAV J. JAMDAR, J.

DATED : 16 OCTOBER 2026

P. C. :-

REVISION APPLICATION NO. 220 OF 2025

WITH

INTERIM APPLICATION NO.1899 OF 2025

1. Heard Ms. Sarnaik, learned senior counsel appearing for the Applicant-father of the child.

2. Although the appearance has been filed on behalf of the Respondent and on earlier date, learned advocate has appeared, today none appears for the Respondent.

3. The challenge in Revision Application No. 220 of 2025 is to the legality and validity of the order dated 29th March 2025 passed by the learned Judicial Magistrate, First Class (JMFC), 67th Court, Borivali, Mumbai as also order dated 30th April 2025 passed by the learned Additional Sessions Judge and City Civil and Sessions Court, Borivali Division, Dindoshi, Mumbai in Criminal Appeal No. 86 of 2025.

4. By an order dated 29th March 2025, learned JMFC has issued certain directions. The operative part of the said order dated 29th March 2025 reads as under :-

> **"1.** Application is partly allowed.
>
> **2.** The respondent no.1 husband is directed to bring the child Mst. Ketan on 15th April, 2025 in the court for giving his temporary custody to the applicant till 15th May, 2025. After the laps of one

month applicant is required to bring the child in the court for handing over his custody to the respondent no.1 husband.

3. The respondent no.1 shall thereafter, bring the child Mst. Ketan every month in the court for visitation of the applicant more particularly on Saturday and Sunday holidays for leaving the custody in company of the applicant.

4. In the event of failure of above directions the period of one month of temporary custody shall be started from the date the custody of Mst. Ketan is handed over to the applicant.

5. Copy of this order be given to the parties free of cost."

5. The Criminal Appeal No. 86 of 2025 challenging said order dated 29th March 2025 has been dismissed.

6. However, learned Senior Counsel submits that now the son has become major on 30th July 2026. She submits that pursuant to the order dated 3rd July 2026 passed by this Court, the son stayed with the mother on 11th July 2026 and 12th July 2026 at Hotel Parle International, B.N. Agarwal Commercial Complex, Vile Parle (E), Mumbai- 400 057. As the son has become major, it is clear that the impugned orders for access and temporary custody does not survive.

7. Accordingly, the Criminal Revision Application No. 220 of 2025 is disposed of with above clarification.

8. As the Revision Application is disposed of, nothing survives in the Interim Application and the same is disposed of.

CONTEMPT PETITION NO. 206 OF 2026

9. Ms. Sarnaik, learned senior counsel states that none of the Advocates appearing in Criminal Revision Application No. 220 of 2025 have instructions to appear for Mr. Santosh Kumar in the Contempt Petition.

10. Mr. Santosh Kumar, Respondent in-person in Contempt Petition is present through Video Conferencing and states that he will remain present in this Court on 23rd October, 2026.

11. It is made very clear that as this is a Contempt Petition, if the Contemnor-Mr. Santosh Kumar fails to remain present then this court will be constrained to issue non-bailable warrant to secure his presence.

12. List the Contempt Petition on 23 October 2026.

[MADHAV J. JAMDAR, J.]