

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

CRIMINAL WRIT PETITION NO. 6574 OF 2025

Lovina Cabrol

..Petitioner

Versus

Siddharth Bharti & Ors.

..Respondents

Mr. Prashant Chande i/b. Minal Doshi for Petitioner.

Ms. Deepti Chand for Respondent No.1 (through Legal Aid).

Ms. Supriya Kak, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL &
ASHISH S. CHAVAN, JJ.**

DATE : 12 JUNE 2026

PC :

1. This petition is for a writ of *habeas corpus*. The grievance of the Petitioner is that, she being the mother of seven year old son and four year old daughter, she had not seen her children since September 2025. They are with her husband i.e. the Respondent No.1.

2. Vide the previous order dated 24.04.2026, we had passed certain directions so that the Petitioner could meet both the children who were at that point of time in Goa. We are informed

that the order dated 24.04.2026 is substantially complied with. Therefore, at this stage, the purpose of *habeas corpus* petition is served. For the disputed question of facts in respect of entitlement of custody of children the petitioner will have to adopt the appropriate proceedings for custody before the appropriate forum i.e. the Civil Court / Family Court.

3. Learned counsel for the Petitioner submitted that, such steps will be taken within two weeks from today. He expressed an apprehension that it would be difficult to serve the Respondent No.1. However, the Respondent No.1 is appearing through the video conferencing today. He is also represented by a legal aid counsel. She submitted that, she will communicate with the Respondent No.1 and will give the contact details including phone number and address to the learned counsel for the Petitioner; so that the custody petition can be proceeded with. The statements made by both the learned counsel for the contesting parties are recorded and accepted.

4. In this view of the matter, no further orders are

necessary in this petition. The petition is disposed of.

5. However, the Court before which the custody petition is to be filed by the Petitioner shall consider deciding the issue of custody and interim custody as early as possible.

6. In the meantime, for a period of four months; subject to further orders by the competent Court, the Respondent No.1 shall permit the Petitioner to have exclusive access of both the children at Goa once in a fortnight for a period of continuous five hours at any convenient public place.

7. In case, on any of these occasions, the petitioner is unable to go to Goa, the Respondent No.1 shall ensure that there is video conferencing access of both the children to the Petitioner on the same terms.

(ASHISH S. CHAVAN, J.)

(SARANG V. KOTWAL, J.)