

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

WRIT PETITION NO. 371 OF 2026

Shamik Haresh Hirani

..Petitioner

Versus

The State of Maharashtra & Ors.

..Respondents

**WITH
INTERIM APPLICATION (ST) NO. 3625 OF 2026
IN
WRIT PETITION NO. 371 OF 2026**

Advocate Firoza Daruwala a/w. Nerissa Almeida i/b. Prabha Badadare for Petitioner.

Ms. Supriya Kak, APP for State/Respondent.

Adv. Firdaus Moosa i/b. Hemali Mehta for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 25 MARCH 2026

PC :

1. Learned counsel for the Respondent No.2-wife seeks time to file Affidavit in reply.

2. Permission is granted. It shall be filed in the Registry. A copy of the Affidavit in reply is already served on the learned counsel for the Petitioner.

3. We are informed by both the learned counsel that the Petitioner has already approached the Family Court at Bandra for custody of the child, and the said matter is kept on Friday.

4. In this situation, today we are adjourning the matter. It is clarified that the Family Court shall expeditiously take up the application for custody and, if necessary, the application for interim custody and/or interim access, on urgent basis. The pendency of this petition shall not come in the way of the Family Court to decide that issue.

5. This matter be placed on 16.04.2026. The question of maintainability can be decided on that date.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)