

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

WRIT PETITION NO. 1360 OF 2026

Mrs. Rachana Raghuvanshi

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr. Sachindra Shetye a/w Saakshat Relekar, Ms. Kalpana Chate, Mr. Govind Munde, Mr. Vinod Kendre, Mr. Bharat Shinde and Mr. Parthraj Ware, for the Petitioner.

Mrs. Rachana Raghuvanshi, Petitioner, present in Court.

Ms. Supriya Kak, A.P.P., for the Respondent-State.

Mr. Rakesh Kumar a/w Ms. Pragya and Mr. Ameya Khot i/b M/s. Legal Vision, for the Respondent Nos.5 to 7.

Mr. Pranvesh Singh, Respondent No.5, present in Court.

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

DATE : 20th APRIL, 2026.

P.C. :

1. This Petition is filed by mother of three and a half year old child for directions in the nature of habeas corpus. We are deliberately not referring to the case of the Petitioner or that of the Respondent No.5 because today both the parties have filed Consent Minutes of Order

signed by the contesting parties i.e. the Petitioner as well as the Respondent No.5 as well as their respective Counsel. Consent minutes of the order are taken on record and marked as 'X' for identification. They are reproduced as follows:

“ **CONSENT MINUTES OF ORDER** ”

1. By CONSENT and without prejudice to the rights and contentions of the parties, Petitioner and Respondent No. 5 have agreed that the present Writ Petition maybe disposed-off on the following terms:-

a. It is agreed between the petitioner and Respondent No. 5 that, for time-being, the custody of minor child viz. Kiyansh shall remain with the Petitioner and the Respondent No. 5 shall have exclusive access of the minor child on every alternate day of the week between 8:00 AM and 7:00 PM.

b. It is agreed between the Petitioner and Respondent No. 5 that, on the day of access allowed to the Respondent no. 5, he shall collect the minor child from the place of Petitioner's residence at 8:00 AM or thereafter as the Respondent No. 5 may choose. The minor child shall remain with the respondent No. 5 between 08:00 am to 7:00 p.m. and the Respondent No. 5 will return the minor child to the Petitioner on or before 7:00 PM at his cost and expenses.

c. The Respondent No. 5 agrees and undertakes to handover the custody of minor child to the Petitioner tomorrow i.e. on 21.04.2026 at on or before 10:00 AM at the Petitioner's residence situated at B-

1301, Amelio Winspace, Barfiwala School Road, near Versova Police Station, D.N. Nagar, Andheri (W)-400053.

d. It is also agreed between the Petitioner and Respondent No. 5 that on every Saturday, the minor child shall remain with the Petitioner and on every Sunday, the minor child shall remain with the Respondent No. 5 between 8:00 AM and 7:00 PM.

e. It is further agreed between the Petitioner and Respondent No. 5 that, they are liberty to take the minor child for his treatment to the medical practitioner/ therapy centre for required treatment as suggested by the medical practitioner and as required. Further, the Petitioner and Respondent No. 5 shall ensure that required medical treatment/therapy is provided to the minor child without any lapse. The Petitioner and Respondent No. 5 agree and undertake to cooperative with each other in taking care of the child and providing the required treatment to the child.

f. The Petitioner and Respondent No. 5 have agreed that the dispute between them may be referred by the Hon'ble Court to a Mediator to make an effort to resolve the entire dispute between them, including custody of the minor child and matrimonial dispute.

g. It is agreed between the Petitioner and Respondent No. 5 that incase the Mediation is not fruitful and the matter is not settled amicably, either of the parties will be at liberty to approach the appropriate forum/Competent Court, including Family Court for appropriate reliefs in respect of the dispute between them including custody of the minor child.

h. It is agreed between the Petitioner and

Respondent No. 5 that, meanwhile the interim arrangements made by this consent minutes shall continue till the appropriate court passes the necessary order upon the application/proceedings filed by either of the parties by appropriate forum/appropriate court.

i. It is agreed between the Petitioner and Respondent No. 5 that the appropriate forum/Court or Family Court as the case may be will decide the proceedings including the Application for Ad-interim and Interim custody of the minor child on its own merits and in accordance with law without being influenced by this arrangement between the Petitioner and Respondent No. 5 and the present consent minutes of order.”

2. The Petition is therefore disposed of on the basis of the consent terms filed before us. As per the consent terms, the parties have shown willingness to submit themselves for mediation. Accordingly, we direct the parties to attend the Mediation Centre of this Court on 30/04/2026 at 11:00 a.m.. The Officer-in-charge of the Mediation Centre shall appoint a suitable Mediator/ Counsellor to make an attempt to bring about the settlement between the parties. The mediation to conclude as far as possible within a period of eight weeks from 30/04/2026. If the mediation fails, as is agreed by the parties in the consent term then either of the parties is at liberty to approach the

appropriate Forum/ Competent Court including the Family Court for appropriate reliefs in respect of the disputes between them including custody of the minor child. In that case, the interim arrangement made by the abovementioned consent terms shall continue to operate until the necessary orders are passed by the said competent Court.

3. If the parties have to approach the competent Court, the dispute shall be decided uninfluenced by the past two Petitions filed before this Court for Writ of Habeas Corpus. We make it clear that we have not made any observations on merits of the matter.

4. In view of above, Writ Petition No.1360 of 2026 is disposed of.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)