

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 5717 of
2025**

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RAEES MOHAMMED IBRAHIMMIYA MALEK
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR MOIZ S QURESHI(12981) for the Applicant(s) No. 1
MR. JAVED S QURESHI(6999) for the Applicant(s) No. 1
DS AFF.NOT FILED (N) for the Respondent(s) No. 2,3
MR IMRAN H PATHAN(3478) for the Respondent(s) No. 4,5,6,7
PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM: HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI
and
**HONOURABLE MR. JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 07/05/2025

ORAL ORDER

(PER : HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI)

1. We have heard Mr. Javed Kureshi the learned advocate appearing for the applicant and Ms. Dhvani Tripathi the learned APP appearing for the respondent no.1.

2. We have interacted with the applicant herein and the corpus i.e. Suhanabanu Raees Mohammad Malik at length.

3. They have *inter-se* also interacted. We have interacted with the mother of Suhana Banu and two minor children Sara Khatun and Mohammad Hamza.
4. It emerges that Suhanabanu Raees Mohammad Malik is not willing to go back with the applicant herein and the children also are willing to reside with their mother Suhanabanu.
5. Under such circumstances, the prayers of the applicant herein seeking the presence of the corpus Suhanabanu Raees Mohammad Malik and minor children Sara Khatun and Mohammad Hamza stand satisfied and in view thereof the present application stands disposed of.

(VAIBHAVI D. NANAVATI, J)

(UTKARSH THAKORBHAI DESAI, J)

ANKIT SHAH

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: ANKIT PRADIPKUMAR SHAH(HC01063), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 08/05/2025 10:52:44