

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 8587 of
2026**

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NEHA BHAVESH CHAUHAN
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR. NITESH G JAIN(7178) for the Applicant(s) No. 1
MS.SHRUTI PATHAK, APP for the Respondent(s) No. 1, 3
MR.S.K.KABRA, ADVOCATE or the Respondent(s) No. 2

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CORAM:**HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
**HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI**

Date : 22/06/2026**ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

1. Captioned writ petition is filed with a request seeking direction to the respondent to produce Nishiv Bhavesh Chauhan before this Court.
2. Learned advocate Mr.Nitesh Jain has submitted that the petitioner is deprived of the custody of the corpus who is four and a half years. It is submitted that at one point of time, the parties tried to reconcile their differences and stayed together. Recently, since last 21 days, the petitioner was compelled to leave her matrimonial house. It is submitted that the respondent and the family members left the matrimonial house with the son. Despite making several efforts, the custody was not given to her.
3. Mr.S.K.Kabra learned advocate states that he has received

instructions to appear on behalf of respondent no.2. It is denied that the corpus was taken forcefully or custody was not handed over, in fact, the petitioner left leaving the child at the matrimonial home, which aspect, is reflected in the FIR lodged with the Vadodara Rural Police Station on 02.06.2026.

4. Issue **NOTICE** returnable on 29.06.2026. Ms.Shruti Pathak learned APP waives service of notice on behalf of respondent nos.1 and 3 and Mr.S.K.Kabra learned advocate waives service of notice on behalf of respondent no.2.

4. Pertinently, the age of the child is four and a half years. We have also taken note of the excerpts placed on record. In the *prima-facie* opinion of this Court, the conversation is not befitting any reasonable person.

5. It is also not in dispute that the mother is without child since last more than 21 days. Hence, till the next date of hearing, it would be in the interest of justice that the custody of Nishiv Bhavesh Chauhan goes with his mother.

(SANGEETA K. VISHEN,J)

(UTKARSH THAKORBHAI DESAI, J)

ANKIT SHAH