

HIGH COURT FOR THE STATE OF TELANGANA HYDERABAD

MAIN CASE No:Cr1.P.No.7474 of 2025

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	11.08.2026	<u>JAK, J</u> This Criminal Petition was adjourned on a number of occasions. When the matter was taken up, this Court directed the husband and wife (i.e., petitioner No.1 and respondent No.2) to be present in the Chambers. In Chambers today at 1:30 P.M., this Court interacted with petitioner No.1 (husband) in person, the conduct of petitioner No.1 was unyielding, though this Court tried to convince, the husband was not agreeable. After persuasion, it was conveyed that if the couple wants to part, it can be done in a peaceful and pleasant manner, as they have a girl child, aged five (5) years old. Learned counsel appearing on behalf of petitioners in the presence of the party (i.e., husband) agreed to pay a lumpsum of Rs.9,00,000/- (later Rs.9,50,000/-) to the wife. On the aspect of girl child, this Court made it clear that since the child is a girl child, her interests would be well protected by the mother, as per the law laid down by the Hon'ble Apex Court. The girl child is with the father and not with the mother and that the mother has no visiting rights. Petitioner No.1 (husband) is an employee in police department. It appears that undue pressure is being mounted on the family of respondent No.2. The father of	

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		respondent No.2 is working as a workmen (labour) in Dubai. The mother of the child i.e., respondent No.2 is present, she stated that she is presently not employed, but earlier she worked in a private sector bank. She expressed that she is ready and willing to live with her husband (petitioner No.1) that she has no intention of parting ways. Considerable time has been spent on this matter on many occasions, matter was referred to mediation. It is stated by petitioner that it was agreed in mediation that he would be keeping the girl child with him and that the mother had agreed. (<i>Mediation ended without any settlement before the Retired High Court Judge</i>). During the counselling proceedings, the conduct of petitioner No.1 was more of the nature of a police personnel. Such conduct, before the Judge, during the counselling proceedings, is not proper. It appears that pressure is mounted up on the illiterate parents of respondent No.2 (respondent No.2 appears to be a humble & simple person). She stated that she is ready and willing to live the rest of life with her husband. Husband appears to be adamant and no reasons are cited, at least before the Judge for parting ways. It is informed in the chambers by the wife that it was her request to live with her in-laws along with the girl child, at the husband's house in the interest of in-laws and family. On a query by the Judge again, respondent No.2-wife submitted that she is ready and willing to live with her	

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		husband. When the same query was put to the husband, he expressed that he is not willing to continue the relationship and intends to part. Their marriage was a love marriage. On a request made by the respondent No.2 i.e., mother of the child, Court requested the counsel for petitioner that child be brought to the Court on the day of counselling, today the child is present in the Court with her father. This Court deemed it appropriate that the mother of the child be permitted to spend time with the child in the garden of the Court premises for 45 minutes, hence, permission was granted to the mother to spend time. This Court conveyed to the petitioner that in the interest of the girl child, the girl child must be allowed to stay with the mother till she attains age of 18 years, as natural mother would be guarding the interest of the girl child in all ways. That the law laid down by the Hon'ble Apex Court in this regard also reiterates that the mother should keep the girl child in the interest of the child. After the counselling in the Chambers at 4:10 P.M., learned counsel appearing on behalf of petitioners made a request before the Court in the Courtroom/Courthall that he be permitted to withdraw the criminal petition filed on behalf of petitioner No.1. When it was expressed during the counselling that mother of the girl child should be allowed to keep the child (the law declared by the Hon'ble Apex Court also speaks on	

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		the same lines), petitioner No.1/husband realizing that the Court would proceed in accordance with law, is trying to withdraw the criminal petition. Learned counsel on behalf of petitioner reiterated the request for withdrawal. This Court, after considering the factual matrix of the case and the proceedings in the chambers i.e., counselling, deems it appropriate that matter be posted to 18.08.2026. JAK, J KH	