

Salgaonkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION (ST) NO.18191 OF 2025

Anup Anil Gogate .. Petitioner

Versus

Kshitija Anup Gogate & Anr. .. Respondents

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Mr.Abhijit Sarwate for the Petitioner.

Mr.Nitin P. Deshpande with Ms.Rachana Harpale for the Respondent No.1.

Mrs.Sangeeta D. Shinde, A.P.P. for the State/Respondent.

**CORAM: BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.**

DATE : 17th DECEMBER, 2025

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P.C:-

1. Mr.Sarwate, the counsel for the Petitioner, press for hearing of the Petition for Habeas Corpus and he also seek direction to hand over the custody of the child to him.

Though the Petition can wait hearing after Christmas Vacation, upon the grievance being made by the Petitioner that he was not able to meet his ten year old son, we permit him to visit India any time between 25/12/2025 and 02/01/2026 and upon an advance intimation of forty-eight (48) hours being forwarded to Respondent No.1, and she shall permit him to meet the child. We also direct that the child shall be permitted to

accompany the Petitioner overnight, with his contact number being shared, so that mother can enquire about the whereabouts of the child and also be in a position to establish contact with him as long the child is with the father.

Since the passport of the child is in custody of the mother, we do not find that the apprehension expressed by her that the child shall be removed from India, has any merit.

2. Upon the pleadings being completed, we direct listing of Petition on **22nd January, 2026**.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)