**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 5242 of 2026**

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KUSUMKUNWARBEN UDAYSINH RATHOD
Versus
STATE OF GUJARAT & ORS.

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Appearance:
KRUPABEN B DHORDA(9696) for the Applicant(s) No. 1
MR MALHAR K PANCHAL(13358) for the Applicant(s) No. 1
MR ASHISH B DESAI(5163) for the Respondent(s) No. 3,4,5
MS VRUNDA SHAH, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE ILESH J. VORA**
and
**HONOURABLE MR. JUSTICE R. T. VACHHANI**

**Date : 12/10/2026**

**ORAL ORDER**
**(PER : HONOURABLE MR. JUSTICE ILESH J. VORA)**

1. We have heard learned counsel Ms. Krupa Dhorda, Mr. Malhar Panchal, Mr. Ashish Desai and Ms. Vrunda Shah, learned APP for the respective parties.

2. The petitioner is the mother of two daughters, residing with the grandparents at Udaipur. On account of matrimonial dispute, the petitioner-wife and husband are living separately and since 2025, the two minor daughters are living with the grandparents and under the care of respondent-father.

3. The respondent-father is happy with the visitation granted to the petitioner-mother and as per the order dated 11.08.2026, the petitioner-mother granted visitation to meet two daughters at Udaipur once in a month at the expenses of respondent-father.

4. In such circumstances, the interim arrangement of visitation as referred in the earlier orders of this Court stands absolute. In other words, the petitioner-mother is entitled to meet her two daughters once in a month at Udaipur for which the respondent-husband has to bear the expenses of her stay and travelling.

5. With the aforesaid observation, the present petition stands disposed of accordingly. The parties are at liberty to seek for alteration and/or modification of the visitation rights and also at liberty to seek appropriate relief for permanent custody before the Competent Court.

**(ILESH J. VORA,J)**

**(R. T. VACHHANI, J)**

TAUSIF SAIYED

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: TAUSIFAHMED SAIYED(HC01401), PRIVATE SECRETARY, at High Court of Gujarat on 12/10/2026 17:24:30