

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 24th OF FEBRUARY, 2026

MISC. APPEAL No. 3879 of 2025

ABDUL RAHIM ANSARI

Versus

HIBA KHAN AND OTHERS

.....
Appearance:

*Shri Shariq Khan and Shri Achyut Govindam Tiwari - Advocates for
the appellant.*

Shri Pranjal Tiwari - Advocate for the respondent.

.....
ORDER

Per. Justice Vivek Rusia

This appeal is filed by the father/ appellant against the interlocutory order dated 05.03.2025, passed by the learned Second Additional Principal Judge, Family Court, Bhopal, whereby the learned Court has refused to modify the earlier order dated 25.03.2023. This matter is related to the visitation rights of the father to meet his minor son.

2. Vide order dated 25.08.2023, the appellant, being a father, had been permitted to meet his own son/respondent no.2 on the second and fourth Saturday of every month, that too in the family court building/premises from 3.00 p.m. to 5.00 p.m. in the presence of the mother. On 2-3 occasions, when the respondent no.1 brought her son to the Court, untowards incident

took place between the appellant and the respondent no.1; therefore, we are of the considered opinion that the child should not be brought to the Court campus to fulfill visitation right. Both the appellant and respondent are residing at Bhopal; therefore, they can meet at some other place.

3. The Courts should be the last resort for a child to visit because courts are often seen as intimidating, sterile, and stressful environments that can "scar" a child emotionally. The visitation to a more "child-friendly" environment. Common alternatives include Malls, parks, or reputable play zones. In the case of *Vivek Kumar Chaturvedi & Anr Vs. State of U.P. & Ors* reported in 2025 INSC 159 emphasised that for older children (e.g., 7th standard), the court must elicit the child's attitude in a comfortable setting rather than forcing the child's presence in a hostile environment.

4. The appellant is permitted to meet the child on the second and fourth Sunday of every month from 11.00 A.M. to 5.00 P.M. in public places. The appellant shall inform in advance the respondent no.1 about the date, time and place. He is permitted to give his son clothes, sweets, gifts, chocolates and toys etc. He is also permitted to take his son to his house on the upcoming "Eid Festival" for three hours so that he can meet with his grandfather and other relatives.

5. Appeal is accordingly disposed of in the above terms.

(VIVEK RUSIA)
JUDGE

(PRADEEP MITTAL)
JUDGE