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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2306/2017

SUMAN KUMAR & ANR

..... Petitioners

Through: Mr.J.M.Sharma, Sr.Advocate with
Mr.Pulkit Manuja, Advocate

Versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Rahul Mehra, Sr. Standing
Counsel (Crl.), Ms.Kusum Dhalla, APP, Mr.
Chaitanya Gosain, Advocate for the State along
with SI Akanksha, P.S. Maurice Nagar.

Mr. Prashant, Advocate with Ms. Poonam Veragi,
Advocate for Respondent No.2.

Ms. Mini Pushkarna, Advocate (Mediator)

**CORAM: JUSTICE S.MURALIDHAR
JUSTICE I.S. MEHTA**

ORDER

02.11.2017

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1. This petition was filed as a *habeas corpus* petition by the grand parents of a six year old child, i.e. the daughter of Respondent No.2, who happens to be the daughter-in-law of the Petitioners. The son of the Petitioners expired on 11th July, 2016.

2. Even on the first date of hearing of the present petition on 16th August, 2017, Respondent No.2 was present along with her minor daughter. The Court recorded that the Petitioners were ready for an amicable resolution

and were only praying at that stage for visitation rights. The Court on the subsequent date recorded that the parties were agreeable to mediation. On 11th September, 2017, in the presence of the Mediator, Ms. Mini Pushkarna, the learned Advocate, the Court recorded that the Respondent No.2 had agreed to the minor daughter visiting the house of the Petitioners to spend some time at a religious ceremony. The Court also appointed another Mediator Ms.Anjali Vohra, Advocate. Since then both the Mediators have made efforts to get the parties to agree to certain terms of settlement. However, the Court is informed today by the Mediators that at this stage the possibility of a settlement seems remote.

3. This petition, having started off as a *habeas corpus* petition, cannot be kept pending indefinitely particularly with the apprehension of the Petitioners, regarding the safety and security of their grand-daughter, having stood allayed on the first date itself. Despite the collective efforts of everyone, particularly the Mediators, a lasting settlement acceptable to both the parties has not been able to be worked out. It is possible that with passage of time, the prospects of the settlement might become brighter. With this expectation, the Court is of the view that these proceedings should come to an end at this stage.

4. The parties will hopefully continue to explore all avenues available to them to work out any satisfactory arrangement whereby the Petitioners could have interactions with their grand-daughter. For this reason, the Court refrains from expressing any opinion whatsoever on the contentions of both the parties advanced in these proceedings.

5. The petition is disposed of in the above terms. The Court places on record its appreciation of the efforts of the two Mediators Ms. Mini Pushkarna and Ms. Anjali Vohra, learned Advocates.

S. MURALIDHAR, J.

I.S. MEHTA, J.

NOVEMBER 02, 2017

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