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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 3540/2016**

**ABHIK BOSE**

..... Petitioner

Through **Ms.Namita Roy, Adv.**

versus

**STATE & ANR.**

..... Respondents

Through **Mr.Tushar Sannu, Adv. for Mr.Rahul Mehra, standing counsel (Crl.) for State along with Inspector Mukesh Kumar and SI N. Ram, P.S. Dwarka South.**

**Mr.S.N. Gupta, Adv. with Ms.Khushali, Adv. for R-2 along with respondent No.2 in person.**

**CORAM:**

**HON'BLE MR. JUSTICE G.S.SISTANI**

**HON'BLE MR. JUSTICE VINOD GOEL**

**ORDER**

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**24.03.2017**

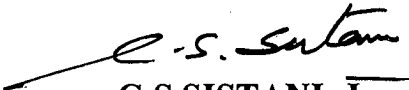
Counter affidavit has been filed. Counsel for the petitioner submits that the petitioner would not press this petition subject to the condition that for a period of two months, the petitioner as and when he visits India be allowed to meet the child in the presence of his mother for one hour and during this period if so advised petitioner would approach the competent court of jurisdiction and seek appropriate remedy. She further submits that the averments made in the counter affidavit are patently false and are denied by her.

Mr.Gupta, learned counsel for the respondents No.2 on instructions from respondent No.2 who is present in Court, submits that without prejudice to her rights and contentions in case the petitioner or his mother

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informs her in advance, she would not object to their meeting the child for one hour in her presence at Dehradun where she is residing. Such meeting would be permitted not more than four times in two months from today.

We dispose of this writ petition with the above agreed directions. We make it clear that as and when either of the parties approaches the Family Court, the Family Court would decide the matter unaffected by the observations made by this court today.

The petition is disposed of.

  
G.S.SISTANI, J.

  
VINOD GOEL, J.

MARCH 24, 2017/jitender