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

+ W.P.(CRL) 2184/2017

PARTHA MANDAL Petitioner

Through: Petitioner in person

versus

STATE OF NCT DELHI & ANR Respondents

Through: Mr. Jamal Akhtar, Advocate for Mr.
Rahul Mehra, Standing Counsel for
the State with ASI Satyavir Janaula,
PS:Bindapur, South-West District,
New Delhi
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **01.08.2017**

By the present *habeas corpus* petition under Article 226 of the Constitution of India, the petitioner prays that his daughter be produced and handed over to him.

We may note that on an advance copy having been served upon the State, respondent No.2 has been produced in Court along with nine month old child of the petitioner and respondent No.2. Respondent No.2 submits that she had left her matrimonial home on account of serious disputes with her husband and on account of her being harassed. She has further stated, as stated in the Status Report, that the petitioner is well-aware that she is residing with her parents at B-2/62A, East Rajapuri, Gali No.9, Delhi-

110059.

After some hearing, learned counsel for the petitioner submits that he wishes to withdraw this petition to enable him to approach the Family Court. However, he prays that a direction be issued to the Family Court to decide his application for interim relief expeditiously, having regard to the serious allegations which he has made against respondent No.2.

Without observing anything on the merits of the matter and the allegations so made, we dismiss this petition as withdrawn. It is directed that, should the petitioner approach the appropriate court of jurisdiction, seeking custody of the minor child, application for interim relief would be decided expeditiously. We make it clear that we have not made any observations on the merits of the matter. The Family Court would consider the application in accordance with law, unaffected by any observations made in this order. The petitioner also complains that he has made various complaints with the local police, which have remained unanswered. Learned counsel for the State submits that the complaints of the petitioner he would be looked into, if filed expeditiously.

G.S.SISTANI, J

CHANDER SHEKHAR, J

AUGUST 01, 2017

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