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

+ W.P.(CRL) 3328/2018 and CRL.M.A. 35294-295/2018

AMIT AGGARWAL

..... Petitioner

Through: Mr. Sunil Kumar Sharma, Advocate

versus

STATE & ANR.

..... Respondents

Through: Mr. Rahul Mehra, SC (Crl.), GNCTD
with Mr. Chaitanya Gosain and Mr. Tushar Sannu,
Advocates with SI Bachchu.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **30.10.2018**

1. The present petition for issuance of a writ of habeas corpus has been filed by the petitioner for issuing directions to the respondents/State to produce his two minor daughters, aged 7 years and 11 ½ years, who are admittedly in the custody of the respondent No.2 (wife of the petitioner).
2. The very fact that the petitioner is aware of the whereabouts of his two children itself is sufficient ground to decline the prayer made in this petition, which is for seeking recovery of the children more so when the petitioner has already approached the Family Court and the issue of the custody of the children is pending consideration there. All other related matters pertaining to the welfare of the children can be raised by the petitioner before the same forum.

3. The present petition is accordingly dismissed as not maintainable alongwith the pending applications.

HIMA KOHLI, J

YOGESH KHANNA, J

OCTOBER 30, 2018

na/ap