

\$~6

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

+ **W.P.(CRL) 174/2020**

SHAYRA BANO @ SAMINO & ANR

..... Petitioners

Through Mr.Anish Shrestha with Mr.Firoz
Khan, Advocates.

versus

STATE GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through Mr.Chaitanya Gosain, Advocate for
the State with SI Manendra and W/Ct.
Asha, PS Pandav Nagar.
Mr.Manmeet Singh Marwah,
Advocate for R-3.

%

Date of Decision: 21st January, 2020.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

J U D G M E N T

MANMOHAN, J: (Oral)

Crl.M.A.No.1278/2020

Exemption allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

W.P.(Crl.) No.174/2020 & Crl.M.A.No.1277/2020

1. Present writ of habeas corpus has been filed by the petitioner-mother seeking directions to the respondents for the production and custody of her minor son-Mohd. Rehan, aged about two years, as well as writ of

Mandamus seeking directions to respondent nos.1 & 2-State to provide security to the petitioners.

2. Mr.Manmeet Singh Marwah, Advocate enters appearance on behalf of respondent no.3/father-Mohd. Riyaz. He has handed over his *vakalatnama* today in Court, which is taken on record.

3. Learned counsel for respondent no.3, on instructions of respondent no.3 who is personally present in Court, states that the said respondent has no objection if the custody of the minor child is taken over by the petitioner.

4. Accordingly, with consent of respondent no.3, the custody of the minor child-Mohd. Rehan is handed over to the petitioner.

5. At this stage, the petitioner no.1 prays for alimony/maintenance. Since this is not the appropriate Court to grant such a prayer, the present writ petition along with pending application are disposed of with a liberty to petitioner no.1 to file appropriate proceedings, in accordance with law.

6. Accordingly, the present writ petition stands disposed of.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

JANUARY 21, 2020
KA