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

+ **W.P.(CRL) 1038/2020**

SANTOSH MANDAL

....Petitioner

Through: Mr. Kamlesh Kumar Mishra,
Advocate

versus

THE COMMISSIONER OF POLICE & ORS. Respondents

Through: Mr. Rahul Mehra, Standing
Counsel (Criminal) for the
State with Mr. Chaitanya
Gosain, Advocate
Inspector Nitin, P.S. Ranhola

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

% **09.07.2020**

1. The hearing has been conducted through video conference.

CRL.M.A. 8945/2020

2. Allowed, subject to all just exceptions.

CRL.M.A. 8946/2020

3. Allowed, subject to all just exceptions with the condition that as and when the Courts resume normal working, the attested affidavits will be filed and requisite court fee will be paid within 05 days.

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4. Issue notice. Mr. Rahul Mehra, learned Standing Counsel, accepts notice on behalf of the State.

5. The petitioner is seeking production of his wife Kushboo, aged about 24 years and his son Virat, aged 3 years who are missing since 4th June, 2020.

6. The SHO, Police Station Ranhola have traced the petitioner's wife, Kushboo and son, Virat and produced them through video conference and this Court has interacted with Kushboo.
7. The petitioner's wife Kushboo submits that she does not want to stay with the petitioner due to his bad habits. She further submits that she wants to stay with Rajan.
8. Learned counsel for the petitioner submits that the petitioner's wife, Kushboo should hand over the custody of the minor child Virat which was put to Khusboo but she is not agreeable.
9. The petitioner is at liberty to avail appropriate legal remedies to seek the custody of the minor son, Virat in accordance with law.
10. Learned counsel for the petitioner submits that the petitioner be permitted to meet Kushboo at Police Station Ranhola.
11. The petitioner is permitted to visit Police Station Ranhola to meet Kushboo in the presence of the SHO concerned.
12. Mr. Rahul Mehra, learned Standing Counsel, shall communicate the convenient date and time of the meeting to the petitioner's counsel.
13. The present petition is disposed of in the above terms.
14. The order be uploaded on the website of this Court forthwith.

J.R. MIDHA, J.

BRIJESH SETHI, J.

JULY 09, 2020/savita