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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 29th February, 2024

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W.P.(CRL) 546/2024

MOINUDDIN

..... Petitioner

Through: Mr. Zahid Laiq Ahmed with
Mr.Arman Pratap Singh, Advocates
with petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal and
Mr. Abhinav Kumar Arya,
Advocates with SI Harish Kumar, PS
Chandani Mahal.
Mr. Rajneesh Chuni, Advocate for
respondent Nos.4 to 11.

CORAM:**HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Pursuant to order dated 20.02.2024, status report dated 29.02.2024, signed by SHO Police Station Chandani Mahal, New Delhi has been handed over by learned Standing Counsel for the State. The same is taken on record.

2. SHO Police Station Chandani Mahal has stated in the status report that on inquiry, the facts have been verified and the statement of Smt. Reshma Khan (respondent No.11), aged 29 years, wife of Sh. Mohd. Sakib Khan, resident of H.No.135, Main Gagan Vihar, Krishna Nagar, New Delhi-51 had been recorded wherein she claimed that the son of the petitioner, i.e., Mohammed (aged 14 months) was residing with his



maternal grand-parents (respondent Nos.5 & 6) at H.No.2985, Kucha Neel Kanth, Qaziwara, Darya Ganj, Delhi and she used to visit him on every Friday, Saturday and Sunday. As per status report, during these three days of Friday, Saturday and Sunday, she used to breastfeed such child.

3. The Maternal Uncle of the child of the petitioner (respondent No.9) is present in Court and submits that the child is with them and they have no issues and are ready to handover the child to his father, i.e. petitioner, subject to the condition that the maternal grandparents of the child be given access to the house of the petitioner as and when they wish to meet the child.

4. Petitioner is present in Court and submits that he would have no objection to the same and they can meet their grandson whenever they so feel.

5. In view of the above, no further order is required to be passed in the present petition.

6. Petitioner is at liberty to take custody of his child and for this purpose, he may visit the house of the maternal grandparents of his child, i.e. respondent Nos.5 and 6 today itself at 6 pm.

7. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

FEBRUARY 29, 2024/st