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

+ **W.P.(CRL) 3946/2024**

TARIQ KHAN

.....Petitioner

Through: None.
versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Mr. Abhinav Kumar Arya
& Mr. Aryan Sachdeva, Advts. with SI
Akash PS Bhajan Pura.
Mr. Amit Kumar Dhaka, Adv. for R-2,
3 & 4 with R-2, 3 & 4 in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

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28.01.2025

1. This hearing has been done through hybrid mode.
2. The present petition had been filed by the Petitioner - Tariq Khan under Article 226 of the Constitution of India read with Section 528 of BNSS seeking issuance of a writ in the nature of *habeas corpus* for production of his daughter, Ms. 'N' who is stated to be missing since 10th December, 2024.
3. This matter was considered on 18th December, 2024 and on the said date the Court had directed the State to take steps on urgent basis to trace and produce the missing girl before the Court. Pursuant to the said direction, on 20th December, 2024 the State had mentioned the matter and produced the missing girl before the Court. After interacting with the parties including the missing girl and her parents on the last date *i.e.*, 20th December, 2024, the



Court had passed the following directions:

“10. Insofar as the complaints filed by the girl or the girls’ family against the husband and the husband’s family are concerned, the parties may go in for mediation at the Delhi High Court Mediation and Conciliation Centre in order to see if some settlement can be arrived at. Upon the settlement being either arrived at or not, the girl is free to proceed as per her own wishes as she is a major.

11. In view of the above, let the parties appear before the Delhi High Court Mediation and Conciliation Centre on 24th December, 2024 at 11:30 AM. Ld. Mediator may consider if the husband and Ms. N need any counselling as well. The girl shall be taken to and brought from Nari Niketan by the Investigating Officer.

12. The writ petition is disposed of. All pending application(s), if any, are also disposed of.

13. Let the present writ petition be listed for receiving the report of the Delhi High Court Mediation and Conciliation Centre on the date already fixed i.e., 28th January, 2025.”

4. Further to the previous orders, the Delhi High Court Mediation and Conciliation Centre (hereinafter “*Mediation Centre*”) has reported that the parties have entered into a settlement and the Settlement Agreement dated 26th December, 2024 (hereinafter “*settlement agreement*”) has been placed on record.

5. As per the settlement agreement, the parties have agreed upon the dissolution of marriage of Ms. Neha Khan and Mr. Abdullah Shaikh by consent through ‘*Talaq Mubaraat*’, as per the terms contained in the



settlement agreement. The same has been offered by Mr. Abdullah Shaikh and accepted by Ms. Neha Khan. The *Talaaq* would become enforceable and absolute after completion of the '*iddat*' period of three months. Further, the parties have agreed that Mr. Abdullah Shaikh shall pay a sum of Rs. 3,30,000/- to Ms. Neha Khan towards full and final settlement of all claims including the Mehr and the maintenance during the *iddat* period. The settlement agreement has been signed by the parties.

6. The Respondent Nos. 2, 3 and 4 are present before the Court today. The terms and conditions of the settlement agreement as set out in paragraphs 1 to 24 would be binding on all the parties and the parties undertake to abide by the same. The settlement agreement is, accordingly, taken on record.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

JANUARY 28, 2025

dk/ms