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

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**W.P.(CRL) 256/2025**

SMT. SAVITRI & ANR.

.....Petitioners

Through: Mr. Shobhit Jain, Adv.

versus

STATE & ORS.

.....Respondents

Through: Mr. Sanjay Lao, SC (Civil) for State with Ms. Priyam Agarwal and Mr. Abhinav Kr. Arya, Adv. with SI Sumeet Poonia (M: 8285130089) and SI Hemant, PS Jaffrabad.

Mr. KK Mishra, Mr. Deepak Panwar, Mr. Pranav Dwivedi and Ms. Tanvi Jain Adv. for R-4 to 7 (M: 9654968449)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE DHARMESH SHARMA**

**ORDER**

% **24.01.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.A. 2177/2025 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(CRL) 256/2025**

3. This is a habeas corpus petition filed by the wife, Petitioner No.1 and one of the sons of the missing father, Sh. Shishupal, *i.e.*, Sh. Shiv Kumar (Petitioner No.2).

4. Sh. Shishupal and Savitri have three children Shiv Kumar, Shiv Nand, and Shiv Karan. The third son-Shiv Karan is since deceased and is survived by his wife-Seema. The other two sons are Shiv Kumar and Shiv Nand. The mother is staying with Shiv Kumar, who is Petitioner No. 2 and the father is



staying with Shiv Nand, who is made a Respondent in this matter.

5. Upon the petition being filed, the parties have been produced before the Court. The Court had an in-chamber interaction with the following persons:- Shishupal, Shiv Kumar, Shiv Nand, Savitri and Seema.

6. It appears from the interaction with Sh. Shishupal that he is of cogent mind and is fully able to take his own decisions. He has expressed various grievances against his son Shiv Kumar and his wife Savitri, who is supporting Shiv Kumar. The wife, Mrs. Savitri, wants her husband to live with her. However, he does not wish to accompany his wife.

7. The disputes also appear to be about movable and immovable assets. The present petition is basically for habeas corpus for production of Sh. Shishupal. He has been produced and since he does not wish to accompany his wife, no orders in respect thereof can be passed by this Court.

8. However, there appears to be a possibility that the parties can resolve their other disputes, as Ms. Seema, who is the widow of the third son, Shiv Karan, also has certain grievances and has filed certain suits, which are pending in the Karkardooma Court. There are certain criminal complaints lodged by the parties against each other.

9. In view thereof, the parties, by consent, are referred to Mediation under the aegis of Delhi High Court, Mediation and Conciliation Centre. A mediator may be appointed for attempting resolution of all the disputes between the parties. All the parties shall appear before the Delhi High Court, Mediation and Conciliation Centre on 28<sup>th</sup> January, 2025. All the parties agree not to proceed with the criminal cases which have been filed by them against each other.



10. The present writ petition along with any pending application is disposed of.

**PRATHIBA M. SINGH, J.**

**DHARMESH SHARMA, J.**

**JANUARY 24, 2025/gunn/ks**