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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 288/2025 & CRL.M.A. 2498/2025**

ANUNAY BAJAJ

.....Petitioner

Through: Mr Sanjay Rathi, Mr. Divyansh Rathi,
Mrs Sumedha Sindhu, Mr Ankit
Kumar, Advs.

versus

THE COMMISSIONER OF POLICE & ORS.Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal,
Mr. Aryan Sachdeva & Mr. Abinav
Kumar Arya, Advs. with SI Vijay, PS
Prashant Vihar.

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.

CRL.M.A. 2498/2025 (for exemption)

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

W.P.(CRL) 288/2025

3. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of BNSS seeking issuance of a writ of *habeas corpus* for production of the minor son of the Petitioner - Master R.
4. The case of the Petitioner is that he was married to Mrs. Pisipati Venkata Naga Sri Deepti in Agra, Uttar Pradesh on 17th June, 2018 and a boy - Master R was born out of the wedlock on 11th June, 2022. The couple along with the child were living in Rohini, Delhi until June, 2023. However, after the said period, the wife had moved out of the matrimonial home along with



the son. An FIR has been registered by the wife against the Petitioner in Cyberabad, Telangana. She has also filed a guardianship application before the Id. ADJ, Family Court, Kukatpally, Hyderabad, Andhra Pradesh in September, 2024. The case of the Petitioner is that he has not seen his child since 2023 and his whereabouts are not known.

5. In the opinion of this Court, this is clearly a matrimonial dispute. The child is in the custody of the mother.

6. The Petitioner is free to avail of his remedies in accordance with law either in the pending proceedings before the Family Court, Kukatpally, Hyderabad or in any other manner as may be permissible in law.

7. Petition is accordingly disposed of with liberty as granted. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

JANUARY 28, 2025

Rahul/ms