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

+ W.P.(CRL) 1425/2025

BHAWANA VERMA

.....Petitioner

Through: Mr. Dinesh Kumar Sharma, Mr. Kawalpreet Singh, Mr. Vikas Saini, Mr. Sonu Jha, Mr. Mayank Sharma, Mr. Manish Malik, Mr. Ashish Balyan, Mr. Dinesh Kumar Madesiya and Mr. Jai Subhash Thakur, Advs.

versus

THE STATE NCT OF DELHI AND ORSRespondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Mr. Abhinav Kr. Arya and Mr. Aryan Sachdeva, Advs. for the State with SI Satender, PS-K.N. Katju Marg.
Mr. Satyapal, Adv. for R- 3 and 4.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

08.05.2025

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1. The present writ petition under Article 226 of Constitution of India has been filed by the Petitioner/mother seeking writ in the nature of *habeas corpus* for a direction to be issued to the Respondents to trace and produce two minor children of the Petitioner.

2. The children have been traced and this Court on 01.05.2025 passed the following order which reads as follows:-

“2. It is stated in the petition that the father-in-law and the mother-in-law of the Petitioner have taken the children away from the



Petitioner and now they are denying access to the children to her.

3. Mr. Sanjay Lao, learned Standing Counsel for the Respondent/State, submits that the Petitioner has herself given the children to the parents of her husband, a fact which is being denied by the Petitioner who is present in Court today.

6. Till the next date of hearing, it is the responsibility of the father-in-law to ensure that both the children are brought to the Petitioner/mother at her residence to meet her from 03:00 PM to 07:00 PM every day."

3. The purpose of the *habeas corpus* having been satisfied, it is now open for the Petitioner/mother to take appropriate steps in accordance with law for taking custody of the children who are at the moment with the paternal grandparents.

4. This Court takes note of the submissions of the paternal grandparents that it was the parents of the children, who handed over the custody of the children, to them.

5. This Court is not making any observation on the correctness of that statement.

6. The Respondent Nos. 3 and 4 are directed to ensure that the children are brought to the house of the Petitioner/mother on every Friday evening at 05:00 PM and the Petitioner/mother shall leave the children back to the house of the paternal grandparents at 08:00 PM in the evening on Sunday.

7. In the meantime, a guardianship petition bearing G.P. No. 25/2025 titled as, "Krishan Chand & Anr. vs. Parveen Kumar & Anr." has been filed by the Respondent Nos. 3 and 4 in the Family Court, District North, Rohini Courts, Delhi. The petition is stated to have been listed for hearing on 03.06.2025.

8. The Family Court is directed to ensure that the guardianship petition is decided as early as possible, preferably within a period of three months.



9. The petition, along with pending application(s), if any, stands disposed of.

SUBRAMONIUM PRASAD, J.

HARISH VAIDYANATHAN SHANKAR, J.

MAY 8, 2025/nd