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

+ W.P.(CRL) 1725/2025

ADEEBA

.....Petitioner

Through: Ms. Ishita Pandey & Mr. Alok
Singh, Advs.

versus

GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Mr. Himanshu Gupta, Mr.
Taimoor Ali & Mr. Iqbal Khan,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

23.05.2025

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1. The present petition under Article 226 of the Constitution of India has been filed by the Petitioner/mother for issuance of the writ in the nature of *habeas corpus* to trace and produce her minor daughter.
2. It is stated in the petition that the marriage of the Petitioner and Respondent no. 2 was solemnised on 22.06.2023 under Muslim Personal Laws and a child has been born out of the said wedlock, on 23.08.2024.
3. It is stated that the Petitioner left the matrimonial home on 18.04.2025 because of differences that had arisen between the Petitioner and the Respondent no. 2.
4. It is also stated that the Respondent no. 2 has forcibly taken the child, who is just eight months old on 19.04.2025.



5. It is also stated that a petition for custody has already been filed by the Petitioner before the Court of competent jurisdiction under the Guardians and Wards Act, 1890.

6. In view of the fact that the child is just eight months of age, this Court is of the opinion that the custody of the child must be restored back to the Mother/Petitioner.

7. This Court has interacted with the Petitioner and Respondent no. 2. Both of them are youngsters, aged about 25 and 28 years old respectively and they have a long life ahead of them.

8. This Court is of the opinion that the parties are in such a situation only due to minor differences between them which can be amicably resolved.

9. Delhi High Court Mediation and Conciliation Centre is directed to appoint Mr. Saiyad Abbas as the Mediator.

10. The parties are directed to approach Delhi High Court Mediation and Conciliation Centre tomorrow i.e., on 24.05.2025 at 11:00 am.

11. The proceedings under the Guardians and Wards Act, 1890 before the concerned Court to proceed in accordance with law.

12. The writ petition stands disposed of with the aforesaid directions.

SUBRAMONIUM PRASAD, J.

HARISH VAIDYANATHAN SHANKAR, J.

MAY 23, 2025/v/ va