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

+ **W.P.(CRL) 1754/2025, CRL.M.A. 16340-16341/2025**

KANIKA GARG

.....Petitioner

Through: Mr. V.S. Dubay, Advocate.

versus

CHILD WELFARE COMMITTEE -V & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

26.05.2025

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1. The present petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Criminal Procedure Code, 1973²) seeks the following reliefs:

“a) To issue an appropriate writ, order, or direction the Respondent no.1 to not to appoint care taker to respondent no.4 of the minor child to the petitioner.

b) To issue an appropriate writ, order, or direction to respondent no.1 to appoint care taker to the petitioner of the minor child

c) To issue an appropriate writ, order, or direction restraining Respondent No. 4 from initiating or continuing any legal proceedings in the name of the minor child concerning the petitioner's property.

d) Grant any other relief deemed fit and proper in the interest of justice.”

2. Upon a pointed query from the Court regarding the statutory basis for the reliefs sought, and the manner in which criminal jurisdiction is invoked

¹ “BNSS”

² “CrPC”



in the present petition, Counsel for the Petitioner prays for leave to withdraw the petition, reserving liberty to pursue appropriate remedies as may be available in law.

3. Leave and liberty granted. All rights and contentions of the parties are reserved. The Court has not expressed an opinion on the merits of the case.

4. Dismissed as withdrawn. Pending applications are also disposed of.

SANJEEV NARULA, J

MAY 26, 2025

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