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

+ **W.P.(CRL) 2077/2025**

SONU

.....Petitioner

Through: **Mr. Aditya Agarwal, Advocate.**

versus

STATE NCT OF DLEHI AND ANRRespondents

Through: **Mr. Sanjay Lao (Standing Counsel (CRL)) with Mr. Abhinav Kumar Arya, Ms. Priyam Agarwal, Mr. Aryan Sachdeva Advocates SI Sachin, Insp Harkesh Mr. Jitendra Kumar, Advocate for Respondent No.2**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

% **09.07.2025**

CRL.M.A. 19384/2025 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2077/2025

1. The instant petition under Article 226 of the Constitution of India has been filed by the Petitioner in the nature of Writ of Habeas Corpus stating that 03 children of the Petitioner are in illegal custody of his wife i.e., Respondent No.2.

2. Material on record indicates that a Guardianship Petition being G.P. No.17 of 2025 has already been filed by the Petitioner before the Family



Court, North District, Rohini, Delhi for custody of the children.

3. This Court is of the opinion that the present petition is completely an abuse of the process of law and seems to have been filed only to ascertain the address of the Respondent No.2/wife for effecting service on her in the abovementioned Guardianship Petition. This Court is not inclined to entertain the present petition which is actually a Guardianship Petition in the guise of Habeas Corpus petition.

4. However, in view of the facts of this case, this Court is not inclined to impose costs on the Petitioner.

5. The petition is accordingly dismissed, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J.

HARISH VAIDYANATHAN SHANKAR, J.

JULY 9, 2025

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