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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3142/2025 & CRL.M.A. 28893/2025**
SH. RATNESH SINGHPetitioner

Through: Mr. Vikas Sharma with Mr. O.N. Sharma, Advs.

versus

STATE GOVT OF NCT OF DEHI AND ORS.Respondents
Through: Mr. Sanjay Lao, St. Counsel (Crl) with Mr. Priyam Agarwal, Mr. Abhinav Kr Arya and Mr. Aryan Sachdeva with Inp. Naveen Rathi and SI Manisha, PS Mandawali.
Mr. Ghanshyam Nagar, Mr. Sushil Bhati, Mr. Abhishek Pal, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
24.09.2025

CRL.M.A. 28893/2025

1. Allowed, subject to all just exceptions.
2. Accordingly, the present application is disposed of.

W.P.(CRL) 3142/2025

3. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking following reliefs:



1. *Issuance of Writ of Habeas Corpus or suitable direction to produce the child before this Court promptly. This will enable the Court to assess his safety, well-being, and protect him from further harm.*
2. *To direct immediate medical and psychological evaluation of the child at AIIMS or another government hospital. Both parents and one relative from each side may be present; a report should be submitted to the Court.*
3. *Order the Delhi Police to register an FIR based on the petitioner's complaint and conduct a thorough investigation. Ensure all relevant offences are covered, with the option for the Court to oversee or assign the case to a special agency.*
4. *Grant interim custody of the child to the petitioner (father) pending the case, after medical examination and Court review. Petitioner undertakes the child's care, with scope for supervised visitation for Respondent No.2 as deemed fit.*
5. *Either grant permanent custody/guardianship of the child to the petitioner under Section 7 of the Guardians and Wards Act, 1890, or direct the appropriate Family Court to treat this as a guardianship application and proceed expeditiously.*
6. *Issue directions to the Child Welfare Committee (CWC) to assist in the child's rehabilitation and protection. They may conduct welfare checks, provide counselling, and ensure a safe handover or placement if needed.*
7. *Pass interim protection orders restraining Respondent No.2 from removing the child from jurisdiction or filing retaliatory cases. These directions will maintain the status quo and prevent any prejudice to the child or petitioner.*

4. The learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file a fresh petition before the appropriate forum.



5. Permission and liberty, as prayed for, in accordance with law, is granted.
6. Accordingly, the present petition along with application(s) stands dismissed as withdrawn.

VIVEK CHAUDHARY, J

MANOJ JAIN, J

SEPTEMBER 24, 2025/rs/tr