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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of decision: 4th November, 2025**

+ **W.P.(CRL) 3457/2025**
RUPINDER GILL

.....Petitioner

Through: Mr. Yogesh Dass and Mr. Jitender
Kumar, Advocates.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Insp. Neeraj Kr., P.S. Shahdara.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T

1. Present petition has been filed under Article 226 of the Constitution of India read with Section 528 B.N.S.S., 2023 and petitioner, *inter alia*, seeks directions in the nature of *Habeas Corpus* to the respondents to release his step-mother i.e. Mrs. Gyan Kaur who has, allegedly, been illegally detained by the respondent no. 2 (Old Age Care Home) at East Rohtash Nagar, Kabool Nagar, Delhi-110032.
2. The petitioner claims to be the step-daughter of Mrs. Gyan Kaur, with whom she had been residing. Her father, after the demise of the petitioner's mother, had solemnised a second marriage with said Ms. Gyan Kaur.
3. Mrs. Kaur had earlier shifted to an alternative accommodation in Shahdara and even instituted a civil suit against the petitioner and other relatives. During the pendency of such suit, Mrs. Kaur was admitted to the



Old Age Care Home (respondent no. 2 herein) at the instance of one Mr. Kapil, in whose favour she had executed a gift deed. Since then, the petitioner was unable to establish any contact with her step-mother.

4. Today, Mrs. Gyan Kaur has appeared before us in person. She has been brought in wheel chair and when asked, she expressed that, at the moment, she wanted to reside at the Old Age Care Home, only where she is duly provided with all necessary facilities and proper care.

5. Our interaction with her clearly indicates that she does not want to go with the petitioner, at the moment.

6. In view thereof, having regard to the fact that Mrs. Gyan Kaur is a senior citizen and has expressed her willingness to take her own independent decisions, no further orders are required to be passed in the present petition.

7. Resultantly, the petition is disposed of in aforesaid terms.

8. All rights and contentions of parties are left open.

(VIVEK CHAUDHARY)
JUDGE

(MANOJ JAIN)
JUDGE

NOVEMBER 4, 2025/ss/sa