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

+ **W.P.(CRL) 69/2025 & CRL.M.A.618/2025**

AMANDEEP SINGH

.....Petitioner

Through: Mr. Arjun Singh, Adv. with Petitioner
in person. (M:8860589158)

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Advs.
with SI Sourabh Malik PS KNK Marg.
Respondent No.2 and her daughter
(through VC) from Canada.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **13.01.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A.618/2025 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 69/2025

3. The present petition has been filed by Petitioner- Mr. Amandeep Singh under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking issuance of writ in the nature of *habeas corpus* for the production of his minor daughter Ms. 'X'.

4. It is the case of the Petitioner that he got married to Respondent No.2 – Ms. Harsimran Kaur on 9th October, 2010 in Delhi. They were blessed with a daughter Ms. 'X' on 30th August, 2012. However, according to the Petitioner,



both mother and daughter left for Amritsar on 31st July, 2024 and never returned. He was then informed that they had left India and gone to Canada on 1st August, 2024 and that the Respondent No.2-Mother has sought a transfer certificate from the school in India where the daughter was studying. The Petitioner has now, therefore, filed the present petition.

5. The Id. APP has handed over a status report dated 13th January, 2025 signed by the SHO, PS Hari Nagar which states that enquiries were initiated by PS Hari Nagar upon receiving an application/complaint from the Petitioner-father. The enquiry revealed that the Respondent No.2 with her daughter Ms. 'X' is presently living in Montreal, Canada. The father of Respondent No.2 had also informed the police that he was in constant touch with Respondent No.2 and his grand-daughter.

6. Today, the Petitioner is present in Court and Respondent No.2 and her daughter have also appeared online from Canada. The Court has interacted with them through video conferencing. Respondent No.2 states that she is living in Montreal, Canada with her daughter. The daughter is currently studying online from Canada itself. It appears that the daughter needs her transfer certificate from her school in India for the purposes of studying in Canada. Further, both the daughter and wife submitted that they do not have any objection to staying in touch with the Petitioner, so long as he does not use any abusive language and has proper conversations with them.

7. Accordingly, it is directed that the Petitioner's mobile number be unblocked by the Respondent No.2 so as to enable the daughter and the father to regularly communicate with each other.

8. Insofar as the transfer certificate is concerned, the Petitioner has no objection if the same is issued by the school *i.e.* Bhatnagar International



School, Paschim Vihar to the daughter of the Petitioner. Let the school issue the TC to the mother through email.

9. In addition, the parties are also open to resolve their disputes through mediation.

10. Accordingly, the matter is referred to the Delhi High Court Mediation and Conciliation Centre to enable the parties to amicably resolve their disputes. The Respondent-Wife and the daughter may join the mediation proceedings online. The Mediation Centre is requested to appoint a Senior Mediator in this matter.

11. List before the Mediation Centre on 24th January, 2025.

12. With these observations, the present petition and pending applications (if any) are disposed of.

PRATHIBA M. SINGH, J.

DHARMESH SHARMA, J.

JANUARY 13, 2025/dk/am