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

+ **W.P.(CRL.) 1779/2026 & CRL.M.A. 17926/2026**

AARIFA NAAZ

.....Petitioner

Through: Appearance not given.

versus

STATE (GOVT. OF NCT DELHI) & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

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08.06.2026

1. Writ Petition under Article 226 of Constitution of India read with Section 528 of BNSS has been filed on behalf of the Petitioner seeking directions to Respondent Nos.2 to 8, in the nature of *Habeas Corpus*, to produce two minor children namely 'A' aged 05 years and 'H' aged 03 years.
2. It is submitted in the Writ Petition that Respondent No.2, who is the father of these two minor children, has forcibly taken away both children on 18.05.2026. On 19.05.2026, Petitioner along with her mother and both sisters had gone to matrimonial house to meet the two children, where she saw both the children with Respondent No.7 (Petitioner's sister-in-law) but was not allowed to meet them.
3. Petitioner lodged a Complaint to the Police, on the same day. All injured persons were sent to JPC Hospital for medical examination. FIR No.0148/2026 under Sections 115(2)/126(2)/351 (2)/3(5) of BNS, 2023 dated 19.05.2026 was registered at PS: Shastri Park, Delhi against



Respondent Nos.2 to 8.

4. Despite repeated requests, Respondent Nos.2 to 8 have refused to hand over both the children and have threatened the Petitioner. Hence, present Writ Petition has been filed.

5. From the averments made in the present Writ Petition itself, it is evidence that present case is pertaining to the custody of both children and is not a case where the location of the children is not known, so as to make Writ Petition of *Habeas Corpus* maintainable.

6. Accordingly, the Writ Petition along with pending Applications is disposed of, with liberty to the Petitioner to approach the Family Court / Guardian Court for appropriate relief.

NEENA BANSAL KRISHNA, J.

MADHU JAIN, J.

JUNE 8, 2026/R