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

+ W.P.(CRL) 2984/2025

VISHAKHA

.....Petitioner

Through: Ms. Bhawna Massey and Mr.
Rahul Kumar, Advocates.

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Lao, Standing
Counsel (Crl) for State with
Ms. Priyam Agarwal, Mr.
Abhinav Kumar and Mr. Aryan
Sachdeva, Advocates for R-1
with Insp. Vikash Pahwan, asi
Manoj Kumar, PS-Farsh Bazar.
Ms. Shivani Kathpalia,
Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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28.01.2026

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bhartiya Nagarik Surakhsha Sanhita, 2023, seeking issuance of Writ in the nature of Habeas Corpus, thereby directing the respondents to handover the custody of the minor girl child to the petitioner, who was with the respondent no. 3 (Father of the minor girl child) since 26th May 2025.
2. This Court, *vide* its order dated 19th September, 2025, had



directed that the temporary custody of the child be given to the petitioner (her mother), while the respondent no. 3 would pick up the child from the residence of the petitioner for having overnight custody on every Sunday and drop her back at the residence of the petitioner every following Monday by 06:00 PM. The parties were also referred to mediation.

3. Unfortunately, the parties could not settle their disputes in mediation.

4. As far as interim arrangements on custody and visitation rights are concerned, we are informed that the same are taking place.

5. In view of the above, we direct that the interim arrangements made by us *vide* order dated 19th September, 2025, shall continue, while leaving it open to the parties to avail of their legal remedies in accordance with law for further directions with respect to the custody and/or visitation rights, if so advised.

6. This petition stands disposed of in the above terms.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

JANUARY 28, 2026/vd/na/as