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

+ W.P.(CRL) 3460/2025

XXXX

.....Petitioner

Through: Mr. Ashish Kumar Bhagat, Mr. Akash Singh, Advs. along with Mother of the petitioner in person.

versus

STATE NCT OF DELHI & ORS.

....Respondents

Through: Mr. Sanjay Lao, Standing Counsel with Mr. Abhinav Kumar Arya, Adv. and SI Rekha Chauhan PS Pandav Nagar for State.

Mr. Advocate for R-4 (appearance not given)

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**ORDER**

% **13.02.2026**

1. This petition has been filed under Article 226 of the Constitution of India read with Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 seeking issuance of a Writ of Habeas Corpus or direction in like nature for producing the minor child-Master XXXX, who is around 2.5 years old, and who at the time of filing of the petition, was with the father, that is, respondent no. 4 herein.

2. On 29<sup>th</sup> October, 2025, the parties reached a consensus on the interim arrangement with respect to the custody and visitation of the child, which was recorded as under:



*“13. With the sincere efforts of the parties and their counsel, the parties have reached a consensus, which is as follows: -*

- i. Both the parties have agreed that the child shall be dropped at the residence of the mother by the father at 10:00 a.m. on coming Saturday i.e. on 01.11.2025.*
- ii. Thereafter, on every Friday, the child shall be picked up by the father between 1:00 p.m. and 2:00 p.m. from the residence of the mother and shall be dropped back by him, by 8:00 p.m., on every following Sunday.*
- iii. The parties have further volunteered to explore the possibility of amicable settlement of their disputes before Mediation Centre.”*

3. The parties were also referred to Mediation, however, unfortunately the parties could not settle their disputes.

4. We are also informed by the learned counsel for the respondents that the child was taken to V.M.M.C. & Safdarjung Hospital where he has been diagnosed to be suffering from “DSM V Criteria for Autism Spectrum Disorder”.

5. The learned counsel for the petitioner, on instruction from the mother of the petitioner, who is present in person before us, assures us that notwithstanding their *inter se* disputes, the mother of the petitioner would fully cooperate with respondent no. 4 in ensuring that the minor child gets best of the treatment that he deserves.

6. Recording the above, we dispose of this petition by directing that the interim arrangement that had been agreed before us on 29<sup>th</sup> October, 2025 shall continue unless varied by the Court of competent jurisdiction, for which the parties may avail of their legal remedies.



We further make it clear that if such proceedings are initiated by either of the parties, the interim arrangement arrived at on 29<sup>th</sup> October, 2025, and as continued by us today, shall not act as precedent or prejudice either of the parties in such remedy.

7. The petition is disposed of in the above terms.

**NAVIN CHAWLA, J**

**RAVINDER DUDEJA, J**

**FEBRUARY 13, 2026/lks/sk**