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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of decision: 23rd September, 2025.***

+ W.P.(CRL) 2705/2025

BHARAT SAH

.....Petitioner

Through: None.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for State with Ms. Priyam
Agarwal, Mr. Abhinav Kr. Arya,
Advocates

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. This case has been taken up on urgent mentioning by the State.
2. 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* seeking directions to the respondent to produce missing son of petitioner.
3. The brief facts of the case are that the son of the petitioner was last seen on the evening of 30.07.2025 when he had gone to attend his classes near Kapashera, New Delhi.
4. When the matter was last taken up on 27.08.2025, learned Standing Counsel had been directed to file a Status Report.
5. Learned Standing Counsel for the State has handed over status report in the Court wherein it is stated that the minor son of the petitioner has been recovered on 16.09.2025. It is further stated that *Child Welfare Committee*



(CWC), *vide* its order dated 17.09.2025, has already handed over the custody of the minor son of the petitioner to his elder brother, on behalf of his parents. In statement recorded under Section 164 Cr.P.C. (183 BNSS 2023), the minor son of the petitioner has not made any allegation against any person whomsoever.

6. Status report dated 22.09.2025 is taken on record.

7. The Court Master was asked to contact the petitioner and/or his counsel but there was no response from their side.

8. The missing son of the petitioner has also appeared in person in the Court with his elder brother. We have interacted with the minor son of the petitioner, who has stated that he would like to stay with his elder brother.

9. Before us also, he states that he had gone on his own choice and freewill and that he has no complaint or grievance against anyone.

10. In view thereof, no further order is required to be passed in the present petition and the same is, accordingly, disposed of.

11. The next date of 25.09.2025 stands cancelled.

(VIVEK CHAUDHARY)
JUDGE

(MANOJ JAIN)
JUDGE

SEPTEMBER 23, 2025/st/pb