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

% **Date of decision: 17.12.2025**

+ **W.P.(CRL) 2704/2025 & CRL.M.A. 37851/2025**

LAXMI

.....Petitioner

Through: None.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjay Lao, St. Counsel (Crl.)
alongwith Ms. Priyam Agarwal, Mr.
Abhinav Kr Arya and Mr. Aryan
Sachdeva with SI Sahil, PS Dabri.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T

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W.P.(CRL) 2704/2025

1. The present writ petition has been filed under Article 226 of the Constitution of India read with Section 528 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* ("BNS"), seeking issuance of writ in the nature of *Habeas Corpus*, directing the respondents to recover the minor daughter of the petitioner and produce her before this Court.
2. The next date fixed in the present matter was 22.12.2025, but the matter has been taken up today on the request of learned Standing Counsel for the State as the girl in question has been recovered and is present in Court today.
3. Learned Standing Counsel for the State informs that the girl was



residing with her father and her father is also present in Court today. It is informed that the statement of the girl under Section 164 Cr.PC / Section 183 BNSS, is to be recorded today and, thereafter, she would be produced before Child Welfare Committee (“CWC”) for further necessary directions.

4. We have made inquiries from the girl in our chamber who is willing to go with her father and has serious reservation in going with her mother.

5. The Court Master was asked to contact learned counsel for the petitioner but we have been informed that the concerned counsel did not answer the call.

6. Be that as it may, the present petition is in the nature of *Habeas Corpus* and the prayer is restricted to recovery of minor daughter of the petitioner, the same stands answered. If the petitioner, being her mother is desirous of having her custody, she is always, at liberty to make appropriate request before CWC.

7. Resultantly, no further direction is required in the present writ petition and the petition is disposed of in aforesaid terms.

8. Pending application(s), if any, also stand(s) disposed of.

9. The next date of hearing also stands cancelled.

VIVEK CHAUDHARY, J

MANOJ JAIN, J

DECEMBER 17, 2025

rs/nc