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

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W.P.(CRL) 833/2015

SURENDER SINGH

..... Petitioner

Through Mr. Nagmani Roy, Adv.

versus

THE STATE ( GOVT OF NCT OF DELHI) & ORS

..... Respondents

Through Mr. Saleem Ahmed, Standing  
Counsel (Crl.) with Ms. Charu Dalal,  
Adv.

Mr. Sonal Sinha, Adv. for R4, 5 & 8.  
Insp. Sher Singh, PS Burari.

**CORAM:**

**HON'BLE MR. JUSTICE SANJIV KHANNA**

**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**ORDER**

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**07.05.2015**

On 24.04.2015, the following order was passed.

*“There appears to be a matrimonial dispute. However, to ascertain and know whether Sunita Devi is being coercively detained, we would like Sunita Devi to appear in the Court in person. We clarify that in case there is a matrimonial dispute, the petitioner will have to take recourse to other remedies in law.*

*Learned Standing Counsel accepts notice on behalf of the respondent nos.1, 2 and 3 and submits that statement of Sunita Devi has been recorded wherein she has stated that she does not want to live and reside with the petitioner. Be that as it may, we would like Sunita Devi to appear before the Court in order to ascertain and know her wishes and desire.*

*Relist on 07<sup>th</sup> May, 2015.”*

Sunita Devi has appeared in person. Ms. Inderjeet Sidhu, advocate representing Delhi High Court Legal Services committee was

asked to speak to Sunita Devi in the chamber and ascertain whether she is being coercively detained and if she wants to live and reside with the petitioner Surender Singh, her husband.

We have also spoken to Sunita Devi in the chamber in the presence of Ms. Inderjeet Sidhu, Advocate. Sunita Devi has given her reasons and states that she does not want to live and reside with the petitioner.

Learned counsel for the petitioner was called to the chamber. In his presence, Sunita Devi reiterated that she does not want to live and reside with the petitioner.

When the matter is taken up, learned counsel for the petitioner submits that Sunita Devi is married to the petitioner and they have three children. Certain other allegations have been made against Sunita Devi.

This is a writ petition for issuance of Habeas Corpus and Sunita Devi has been produced and we have spoken to her. We do not think any further orders or directions can be passed in the writ petition. It appears to be a case of matrimonial dispute. The petitioner is at liberty to take recourse to other remedies in law.

Writ petition is disposed of.

**SANJIV KHANNA, J**

**ASHUTOSH KUMAR, J**

**MAY 07, 2015/ab**