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

+ **W. P. (CRL.) 2341/2015**

TINKU

..... Petitioner

Through : Ms. Reema Khurana and Mr. P. S.
Chauhan, Advocates.

versus

STATE & ORS.

..... Respondents

Through : Mr. Rahul Mehra, Standing Counsel
(Crl.) with Mr. Mayank Kukherjee,
Advocate, Inspector Vijay and W/SI
Kamlesh, Police Station-Dabri

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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06.11.2015

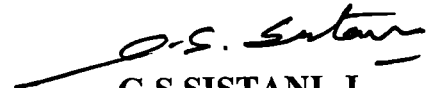
1. Present writ petition has been filed by the petitioner under Article 226 of the Constitution of India, for issuance of a writ, order or direction in the nature of Habeas Corpus directing the respondents to produce Smt. Komal, wife of the petitioner, before this Court and for further directions to hand over the custody of his wife.
2. In the present case, Komal's mother had approached the petitioner for marriage of her daughter and petitioner married Komal on 29.07.2015 according to the Hindu rites and customs.
3. We have again heard the petitioner, Ms. Komal, who has been produced from Nirmal Chhaya and mother of Ms. Komal in the

5

chamber.

4. The mother has stated before us that she had informed the petitioner that her daughter was a major and marriage expenses have also been incurred by the petitioner. Ms. Komal has also verified the aforesaid statement.
5. Although, the petitioner submits that he has legally married Komal, Komal also does not dispute the same and submits that since her family members are now unhappy with the marriage, she would like to stay with her mother and family members to convince her mother and family members.
6. Counsel for the petitioner submits that protection should be provided to Komal. He submits that first the mother of Komal proposed marriage of Komal with the petitioner, made him incur all the expenses and thereafter illegally started demanding money from him. He submits that initially the petitioner paid money to her, but when he declined she lodged a police report against him. Counsel further submits that the petitioners apprehends that Komal's mother will again look for a handsome boy and extract money from him.
7. We direct the State to depute a lady Constable to ensure the well being of Ms. Komal in view of the allegation made by the petitioner. The lady Constable will visit the house of Komal once a week to ensure about her well being. Komal's mother will furnish her fresh and correct address to the local police. This arrangement will continue till Komal attains the age of majority.
8. Ms. Komal, who has been produced from Nirmal Chhaya, needs not go back except to collect her belongings.

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9. Writ petition stands disposed of.
 10. Dasti under the signature of Court Master to the parties.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

NOVEMBER 05, 2015
gr/pst