

\$~15

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

+ **W.P.(CRL) 1317/2016**

BHAGAT SINGH

..... Petitioner

Through : Mr. M. K. Gahlaut and Mr. Pawan
Kumar, Advocates.

Versus

STATE NCT OF DELHI & ORS

..... Respondents

Through : Mr. Rahul Mehra, Standing Counsel
(Crl.) for State.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **29.04.2016**

Present petition has been instituted under Article 226 of the Constitution of India seeking a writ of Habeas Corpus. A direction is sought to produce respondent no. 3.

As per this writ petition, the petitioner and respondent no. 3 were studying in different colleges at Palwal, Haryana. They fell in love however on account of family pressures, marriage of the petitioner was solemnized against his will on 20.05.2013. Subsequently, marriage of respondent no. 3 was solemnized on 10.05.2014. It is claimed that respondent no. 3 sent a message to the petitioner that her life is in danger and she is being continuously beaten and tortured and the petitioner should take her with him. Respondent no. 3 thereafter left her matrimonial home on 16.01.2016. The petitioner and respondent no. 3 had taken shelter in a hotel in Pahar Ganj, Delhi where they resided till 16.03.2016 and thereafter respondent no. 3 has been illegally removed by her parents.

Mr. Rahul Mehra, Standing Counsel (Crl.) for State appears on an advance copy and submits that this court would have no territorial

jurisdiction to entertain this petition as the parties are residing at Palwal, Haryana. It has also been submitted that only to invoke the jurisdiction of this court, the petitioner has given the address of Delhi whereas on enquiry it is learnt that the petitioner does not reside at the address provided but he resides at Faridabad, Haryana. Additionally, Mr. Mehra submits that the petitioner has no *locus standi* to file this petition as he is neither related to respondent no. 3 and even otherwise he is also a married man and any relationship between him and respondent no. 3 would be illegal.

Mr. M. K. Gahlaut, learned counsel for the petitioner also submits that the petitioner has received a message from the mother of respondent no. 3 that her life is in danger and for this reason he has filed the present petition.

Heard.

We are not inclined to entertain this petition primarily on the ground that we are not satisfied that the petitioner has *locus standi* to file this petition. The petitioner has also failed to satisfy this court that in fact the life of respondent no.3 is in danger. The petitioner has also not been able to satisfy this court as to why the mother of the petitioner has not approached this court.

We find no ground to entertain this petition, however it would be open for the petitioner to approach the appropriate court of jurisdiction, if so advised.

The writ petition is dismissed.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

APRIL 29, 2016/sc

W.P.(CRL) 1317/2016

2/2