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

+ **W.P.(CRL) 1133/2016**

DEEPAK

..... Petitioner

Through : Mr. Purshottam Saharawat, Advocate.

Versus

THE STATE OF NCT OF DELHI & ORS

..... Respondents

Through : Mr. Sanjay Lao, ASC and
Mr. Siddarth Sindhu, Advocate for
State.

Inspector Somender Pal Singh, SHO
and W/SI Sunita Rani, PS – Aman
Vihar.

Ms. Meera Pandey, Welfare Officer,
CHG-I, Nirmal Chhaya Complex.

Ms. Akanksha Sharma, Welfare
Officer, Nari Niketan, Nirmal Chhaya
Complex.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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29.04.2016

Present petition has been filed under Article 226 of the Constitution of India seeking a writ of Habeas Corpus for production of the wife of the petitioner i.e. Ruksana @ Ritika who has been illegally confined and detained by respondent no. 3.

Notice was issued in this matter.

The parties were called. We had interacted with the petitioner, his father, Ruksana and also her parents. Since the age of Ruksana was in question, an Ossification Test was directed to be conducted on Ruksana at her instance. Ruksana had made a statement in court on 19.04.2016 that she

has married the petitioner Deepak and she wishes to reside with him. Her statement was reiterated on 21.04.2016 and again reiterated in court today. As per the Ossification Test conducted by the Sanjay Gandhi Memorial Hospital, the age of Ruksana is between 18 and 20 years.

The father of Ruksana submits that he does not accept the marriage.

In view of the fact that Ruksana is a major and she has decided to stay with Deepak, the present petition is allowed. Ruksana will be free to reside with her husband Deepak.

The petition stands disposed of.

Copy of the order be given dasti to parties under the signatures of Court Master.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

APRIL 29, 2016

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