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

+ W.P.(CRL) 1402/2016

PUSHPA

..... Petitioner

Through : Mr.Sumit Kalra, Adv.

versus

STATE OF DELHI & ANR

..... Respondents

Through : Mr.Rahul Mehra, Standing Counsel (Crl.)
and Mr.Amrit Pal Singh, Adv. for the
State.

Mr.Yogesh Kumar, Adv. for respondent
no.2 along with respondent no.2 and her
husband.

SI Naresh Chand, P.S. Shahbad Dairy.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **04.05.2016**

Present petition has been instituted under Article 226 of the Constitution of India by the petitioner seeking a writ, order or direction in the nature of Habeas Corpus thereby directing the respondents to produce Sh.Raghvinder Mann before this Court, who is stated to have been missing since 8.12.2015.

As per the petition, petitioner is the sister-in-law of Sh.Raghvinder Mann, who is elder brother of the late husband of the petitioner, and respondent no.2 is the real sister of Sh.Raghvinder Mann.

Further as per the petition, Raghvinder Mann was residing at the house of petitioner situated at House No.113, Village Naya Bans, Delhi, even prior to the death of his brother and also after the death of his brother. The petitioner was looking after Raghvinder Mann as the mental condition of Raghvinder Mann was not mentally stable and he was undergoing treatment for a long time. This writ

Signature Notion further discloses that relationship between the petitioner and respondent no.2,
Digitally Signed
By:AMULYA

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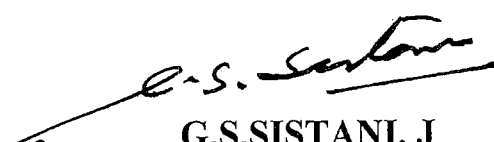
who is the sister of Raghvinder Mann, is not cordial and respondent no.2 has instituted a civil suit seeking partition, declaration and permanent injunction against her brothers including Raghvinder Mann and husband of the petitioner (since deceased). It is further the case of the petitioner that respondent no.2 has been taking advantage of the mental condition of Raghvinder Mann. It is also averred that respondent no.2 along with some unknown persons forcibly and against the wishes of Raghvinder Mann had taken Raghvinder Mann to an unknown destination.

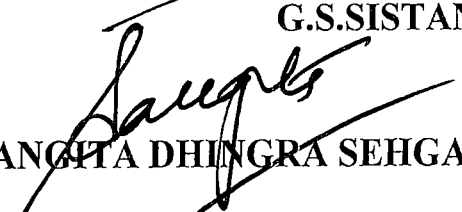
Learned Standing counsel for the State and counsel for respondent no.2 enter appearance on an advance copy. Learned Standing Counsel for the State has handed over in Court a status report and submits that Sh.Raghvinder Mann is residing with his real sister out of his own free will. Counsel for respondent no.2/sister also submits that Sh.Raghvinder Mann had left the house of his sister-in-law out of his own free will and he is residing with her sister and is getting treatment for his mental illness.

Sh.Raghvinder Mann is present in Court. We have asked Sh.Raghvinder Mann as to whether he is residing with his sister, respondent no.2, voluntarily, or not. Sh.Raghvinder Mann replied that initially he was residing at Naya Bans but at present he is residing temporarily with his sister voluntarily and is getting treatment of his mental illness.

Since Sh.Raghvinder Mann has been produced in Court, learned counsel for the petitioner submits that he does not wish to press the present petition.

Accordingly, present petition stands dismissed as not pressed.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

MAY 04, 2016 msr