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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3465/2016**
VARUN KUMAR Petitioner

Through: Mr. P. Sureshan, Advocate.

Versus

UOI & ORS. Respondent

Through: Mrs. Bharathi Raju, CGSC for R-1.
Mr. Rahul Mehra, Standing Counsel with Mr.
Tushar Sannu, Advocate for respondent no. 2 & 3.
Mr. Pramod Singh and Deepak Kumar, Advocates
for Ms. Nidhi and her parents.
Insp. Arun Kumar Choudhary, ATO PS Jafrabad
along with ASI Ram Kishore.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **06.12.2016**

Petitioner claims to have married Nidhi on 17.09.2016. Copy of the marriage certificate issued from Arya Samaj Sewa Mandal has been placed on record. Petitioner also relies on a Marriage Deed duly signed by the parties of the same date. While relying on copy of the Aadhar Card of Nidhi, which has been placed on record, petitioner claims that he was informed by Nidhi that she is 19 years of age. The grievance of the petitioner is that post the marriage, Nidhi's parents have illegally detained her and also lodged a false report, which has resulted in registration of an FIR under Section 363 IPC.

While issuing notice, we had directed the presence of the parties. We have interacted with petitioner separately. We have also interacted with Nidhi and her parents in the presence of counsel for the petitioner and the counsel

representing Nidhi and her parents.

Nidhi submits that although she has married the petitioner, but she does not want to reside with him.

The petitioner submits that he does not want to force Nidhi into staying with him in case she has changed her mind. The petitioner, however, submits that in case he was aware that Nidhi was not a major, he would not have married her. He further submits that he was misled by the Aadhar Card produced by her.

Counsel for the petitioner as also the counsel for the respondent no. 4, father of Nidhi submit that steps have been taken to annul the marriage. The petitioner as also the counsel submits that they would participate in the proceedings and co-operate in seeking an order of annulment.

The father of Nidhi is also satisfied that Nidhi had produced the Aadhar Card before the petitioner, which led to their marriage.

We may note that on 08.09.20106, Nidhi had appeared before the court of Ld. Chief Metropolitan Magistrate and made a statement that she had not been kidnapped or enticed by anybody. Nidhi stands by the said statement.

In view of the change in circumstances, counsel for the petitioner does not press this petition and submits that he would file a petition seeking quashing of the FIR.

Petition is disposed of being not pressed.

G.S.SISTANI, J

VINOD GOEL, J

DECEMBER 06, 2016

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