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

+ W.P.(CRL) 370/2017

DEEPAK PANDEY

..... Petitioner

Through

Ms.Ekta Chauhan, Adv. with Mr.Rahul
Kumar and Mr.Padam Sharma, Adv.
along with petitioner in person.

versus

STATE GOVT OF NCT OF DELHI & ORS

..... Respondents

Through

Mr.Tushar Sannu, Adv. for Mr.Rahul
Mehra, Standing Counsel (Crl.), GNCTD
for the State along with SI Harinder, PS
Aman Vihar, in person.
Mr.Abhijit Kr. Chattopadhyay, Adv. for
Mansha Devi.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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22.02.2017

This is a second writ petition filed by Deepak Pandey under Article 226 of the Constitution of India seeking a writ of Habeas Corpus for production of his wife Geeta, whom he claimed is illegally detained by her family members.

We have noted in the order dated 03.02.2017 that in the earlier writ petition, Geeta had refused to join Deepak Pandey, petitioner herein, on the ground that he was already married to Mansha Devi. On the last date, Deepak Pandey reiterated that he has never married Mansha Devi. He had submitted that he has never stayed with Mansha Devi even for one day and he is not bound by any assurance given by his family members to the family of Mansha Devi. On the last date, we also had interacted with Geeta, her father and Deepak Pandey in the Chamber. Geeta had desired that she wishes to join the company of Deepak Pandey as she is a major and she is in a position to take her own

decisions.

Today, the petitioner and Geeta are present in Court. They submit that they are staying together. However, they apprehend violence at the hands of Mansha Devi and her family members. They further submit that they fear that Mansha Devi and her family members would not permit Deepak to carry out his business peacefully.

Mr. Chattopathyay, learned counsel who is present with Mansha Devi, submits that the apprehension of the petitioner and Geeta are unfounded, Mansha Devi would agitate all her legal rights in the appropriate Court of jurisdiction but will not take law in her own hands. Mansha Devi and her family members would remain bound by the statement made by their counsel in Court.

Learned counsel for the State also submits that in case there is any law and order problem, the concerned SHO would ensure that proper action is taken in the matter.

The petitioner does not wish to press this petition. The petition is accordingly disposed of being not pressed.

We make it clear that we have not expressed any opinion with regard to legality of the marriage between Deepak and Geeta or Deepak and Mansha Devi. It would be open for Mansha Devi to agitate all her legal rights in the appropriate Court of jurisdiction. In case such a petition is filed, the concerned Court would consider the same in accordance with law, unaffected by any observations made by us in these proceedings.

G.S.SISTANI, J.

V. KAMESWAR RAO, J.

FEBRUARY 22, 2017/ka /

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