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

+ **W.P.(CRL) 1123/2017**

GIRISH CHAND GUPTA

..... Petitioner

Through: Mr. Mahesh Verma, Advocate.

versus

THE STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
and Mr. Tushar Sannu & Ms. Smriti
Dutta, Advocates along with
Inspector Gurnam Singh & SI Satbir
Singh, PS – Tilak Nagar, for the
State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

19.04.2017

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The petitioner has preferred the present writ petition to seek a writ of Habeas Corpus directing production of Ms. Deepti @ Rakhi Gupta. In the petition, the petitioner has not disclosed his relationship with the said person, namely Ms. Deepti@ Rakhi Gupta.

Learned counsel for the petitioner states that Deepti is daughter of the petitioner. Learned counsel for the petitioner further states that Deepti is living with respondent No.2, though she is married to respondent No.3.

Since Ms. Deepti@ Rakhi Gupta is major and her whereabouts are already known to the petitioner, no writ of Habeas Corpus would be maintainable. Ms. Deepti@ Rakhi Gupta is entitled to live with whomsoever and wherever she wishes. It is for respondent No.3, if he is aggrieved, to take appropriate action since respondent No.3 is the husband of Ms. Deepti@ Rakhi Gupta. Mr. Mehra states that respondent No.3 has already made a police complaint.

A status report has been tendered by Mr. Mehra, who appears on advance notice. He points out that this Court also does not have territorial jurisdiction in the matter. The petitioner himself is residing in Ghaziabad; Ms. Deepti@ Rakhi Gupta allegedly went missing from Ghaziabad; and Ms. Deepti@ Rakhi Gupta did not live in Tilak Nagar as per the statement of the landlord of the premises mentioned in the writ petition.

In view of the aforesaid, there is absolutely no merit in this petition.

Dismissed.

VIPIN SANGHI, J

DEEPA SHARMA, J

APRIL 19, 2017

B.S. Rohella