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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 3619/2017

HARI SHANKAR

..... Petitioner

Through: Mr.Mohit Singh, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ORS. Respondents

Through: Mr.Rahul Mehra, Sr.Standing
Counsel along with Mr.Prashant Singh,
Mr.Chaitanya Gosain, Advocates for the State;
SI Rajender Singh, PS-Badarpur

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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22.12.2017

Crl.MA 21451/2017 (exemption)

Allowed subject to all just exceptions.

WP (Crl) 3619/2017

1. The present petition has been filed by the Petitioner as a *habeas corpus* petition for a direction to the Respondents to produce the wife of the Petitioner who he apprehends is in the illegal custody of Respondent No.4.

2. Appearing on advance notice, Mr. Rahul Mehra, learned Standing Counsel for the State has tendered a status report dated 22nd December, 2017 of the Station House Officer (SHO) of Police Station Badarpur, New Delhi, in which, *inter alia*, it is stated that the wife of the petitioner had given a statement to the Police on 14th November, 2017 itself that she had left her

husband on 2nd November, 2017 of her own free will and that she does not wish to live with her husband and instead, she wishes to live with Respondent No.4. She has also informed the Police that she proposes to seek divorce from the Petitioner.

3. Mr. Rahul Mehra has confirmed to the Court that the wife of the Petitioner, who is present in Court, has even today further reiterated her aforementioned stand.

4. In that view of the matter, no further directions are called for as far as this petition is concerned. The Court expresses no opinion on the contentions of the parties and leaves it open to them to seek other appropriate remedies as may be available to them in accordance with law.

5. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

I.S. MEHTA, J.

DECEMBER 22, 2017
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