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

+ **W.P.(CRL) 313/2018**

ARUN KUMAR

..... Petitioner

Through: Mr.Varinder Kumar Sharma,
Advocate with Mr.P.K.Singh and
Mr.Mahindra Singh, Advocates

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
(Crl.) for State with Inspector
C.L.Meena, SI Kishanveer Bhati, PS-
Shakarpur

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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31.01.2018

CRL.M.A.1837/2018

1. The application is allowed, subject to all just exceptions.

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2. This is a petition seeking issuance of a writ of *habeas corpus* for directions to the Respondents to produce the wife of the Petitioner. According to the Petitioner, his marriage was solemnized on 10th November 2017. His in-laws sent a message about his father-in-law being seriously ill and therefore the Petitioner and his wife proceeded to Rampur on 12th January 2018. He states that thereafter he tried contacting his wife but without success. He first filed a complaint with the SHO of PS

Shakarpur on 19th January 2018 and then filed this petition.

3. Pursuant to the advance notice served upon him, the SHO of PS Shakarpur has filed a status report in which he states that he contacted the sister-in-law of the Petitioner on her mobile phone. She informed him that that Petitioner's wife did not want to return to him and preferred to stay at Rampur with her parents.

4. The Petitioner's wife, Arsala, is present in the Court and has conveyed to the learned APP for the State that she does not want to return to the Petitioner. She of her own free will prefers staying with her parents at Rampur, UP. The Petitioner's wife is admittedly an adult and is entitled to decide where she wants to live. She has pleaded that she is not under any duress or coercion from anyone and had given the statement without any pressure and it was an entirely voluntary one.

5. In that view of the matter, no further directions are called for. The Petitioner is at liberty to seek other remedies for any other grievance he may have, in accordance with law.

6. The petition is disposed of.

S. MURALIDHAR, J.

I.S. MEHTA, J.

JANUARY 31, 2018

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