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

+ **W.P.(CRL) 724/2018**

VICKY

Through: Mr.Vikramjeet Singh Ranga,
Advocate.

..... Petitioner

versus

STATE, G.N.C.T OF DELHI & ORS

..... Respondents

Through: Mr.Rahul Mehra, Standing Cousnel
(Crl.) with Mr.Chaitanya Gosain,
Advocate
Inspector Jasmohinder Chaudhary, SI
Satish Yadav, PS-Dwarka North

CORAM: JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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09.03.2018

CRL.M.A.4440/2018

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

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2. Mr.Vicky Daler has filed this petition seeking a writ of habeas corpus for the production of his wife Manju Sharma.

3. He has stated that his marriage with Manju Sharma was solemnized on 02nd August 2016 and that they never stayed together on her assurance that she would convince her family. Consequently, they only met on and off.

4. On 25th February 2018, according to him, Manju told him that her family members would never agree to their marriage and yet, she was going to disclose to her family about their marriage. According to him, on the next day when he called her, she stated that she had been beaten badly by her

family members. After that day, he has not been able to get any information about her.

5. Pursuant to an advanced copy of the petition being served on the counsel for the State, Inspector Jasmohinder Chaudhary, Station House Officer ('SHO') of Dwarka North has filed a status report in which he states that inquiries were made on 5th March 2018 into the matter pursuant to a complaint having been received on that date from the Petitioner at PS Dwarka North vide DD No. 67 B. It has been confirmed that Manju is presently living with her parents at the address given in the petition. She accepted that her marriage with the petitioner was solemnized at the Arya Samaj Mandir according to Hindu Rites on 2nd August 2016. She has further confirmed that after her marriage she is living only with her parents and has never been with the Petitioner and that till recently her parents were not aware of the marriage. She stated that she did not want to live with the Petitioner.

6. The Court, so as to satisfy itself that Manju is not under any pressure or coercion, called her to the chamber and spoke to her in the presence of learned counsel for the State. She reiterated *inter alia* that she does not wish to go back to the Petitioner. She apprehends threats to her safety at the hands of the Petitioner. The Court notes that in this context, DD No.51 B has been lodged with the police on 7th March 2018, on a statement given by her, a copy of which has been enclosed with the status report.

7. The Petitioner has also been called to the chamber and told about what transpired with Manju Sharma and what she has stated in the Court. He has

denied that he has subjected her to any threat as to her safety at any time.

8. In view of the above, the Court does not consider it appropriate to pass any order in the present petition. It will be open to the parties to seek other appropriate remedies in accordance with law.

9. The Court makes it clear that it has expressed no opinion on the assertions of either party before the Court.

10. The petition is disposed of.

S.MURALIDHAR, J

I.S.MEHTA, J

MARCH 09, 2018

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