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

+ **W.P.(CRL) 821/2018**

BIBHAS DAM

..... Petitioner

Through: Mr. Kamlesh Kumar Mishra,
Advocate

versus

COMMISSIONER OF POLICE & ORS.

..... Respondents

Through: Mr. Chaitanya Gosain, Advocate for
Mr. Rahul Mehra, Standing Counsel
(Crl.) with Inspector Vijaypal Singh
& SI Pawan Tomar

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE VINOD GOEL

ORDER

24.08.2018

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1. The status report has been perused. It states that the wife of the Petitioner was traced in a place at Indore where she is living alone by herself. She has made a statement before the Judicial Magistrate, First Class, Indore under Section 164 Cr PC reiterating her desire to live by herself and become self-reliant. She has stated categorically that she does not wish to return to her matrimonial home. She reiterates this even before us.

2. In that view of the matter, the question of further proceeding in the present petition which seeks issuance of a writ of *habeas corpus* does not arise since it is plain that the Petitioner's wife is not under any illegal restraint by anyone and has, as an adult, made a conscious choice to live by herself.

3. The petition is accordingly dismissed. However, the Petitioner is at liberty to avail of other legal remedies as may be available to him in accordance with law.

S. MURALIDHAR, J.

VINOD GOEL, J.

AUGUST 24, 2018

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