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

+ W.P.(CRL) 1285/2018

JUNAID SIDDIQUI

..... Petitioner

Through: Mr. Mohammad Usman Siddiqui, Ms.
Aisha Siddiqui, Mr. K.M.M. Khan,
Ms. R Ahmed and Ms. Sakeena
Quidwai, Advocates

versus

THE STATE (NCT OF DELHI)& ORS

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
with Mr. Chaitanya Gosian, Adv for
the State with Insp M.P. Singh, Sub-
Inspector Anil, Police Station
Ambedkar Nagar, Delhi

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

27.04.2018

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Crl.M.A. 7855/2018

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(CRL) 1285/2018

Issue notice. Mr. Mehra accepts notice on behalf of the State. The status report tendered by him in court is taken on record.

The petitioner has preferred the present petition to seek a writ of habeas corpus to seek a direction to respondent nos.1 to 3 for production of his wife Ameena Siddiqui @ Amina @ Meena.

The matter is listed for the first time today. The wife of the petitioner Ameena Siddiqui @ Amina @ Meena is present in court. She states that the petition is premised on a false premise that she is not residing with the petitioner. She submits that she has been residing with the petitioner and with her children who are school going. She submits that the present petition has been filed by the petitioner only with a view to create a ground to divorce her. According to her, the petitioner is having an extramarital affair with another woman.

The petitioner is also present. He has his own version on the aforesaid aspects.

We are not concerned with the matrimonial dispute between the petitioner and his wife in these proceedings. However, we are of the view that since the petitioner was aware of the whereabouts of his wife and even according to him (which is not accepted by Ameena Siddiqui @ Amina @ Meena) his wife had consciously and deliberately left him, the present petition is not maintainable.

The petition is, accordingly, dismissed.

VIPIN SANGHI, J

P.S.TEJI, J

APRIL 27, 2018

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