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

+ **W.P.(CRL) 1416/2018**

SUNIL KUMAR JHA THR. ASHOK KR.JHA Petitioner

Through: Mr. Sujeet Kumar Mishra,
Advocate with Mr. Sanjeev
Kumar Jha, Mr. Abhishek,
Advocates.

versus

STATE OF NCT OF DELHI & ORS Respondents

Through: Mr. Rahul Mehra, Standing
Counsel (Crl.) with
Mr. Chaitanya Gosain, Mr.
Tushar Sannu, Advocates for
the State.

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE I.S. MEHTA**

ORDER

07.05.2018

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CRL.M.A.8590/2018 (exemption)

1. Allowed, subject to all just exceptions.

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2. This is a petition on behalf of the Petitioner, by his *pairokar*, a cousin of his, named Ashok Kumar Jha stating that the Petitioner had been forcibly abducted from the house of his wife (Respondent No.5) in Sector-74, Noida, where he had gone to visit, on 2nd May 2018 by three unknown persons and got admitted at the rehabilitation centre SHAFHA Home (Respondent No.4) at Plot No. 130, Pocket-1, Sector-20, Rohini, Delhi.

3. On receipt of an advance copy of the petition, a status report dated 7th May 2018 has been filed by the Station House Officer ('SHO') of Police Station ('P.S.') Begumpur in which *inter alia* it is noted that the Petitioner had filed a petition seeking divorce from Respondent No.5 in 2018. They were married in 1990 and have a son who was born in 1992.

4. The status report reveals that the Petitioner had, in fact, been shifted to another centre of Respondent No.4 at Kotdwar, Uttarakhand. It is stated that when the police mounted pressure on the persons running the said Home, they left the Petitioner outside P.S. Begumpur.

5. Now that the Petitioner has been recovered and is present in the Court, the question of issuing directions for his release does not arise.

6. However, the Petitioner has informed the Court that there are several others kept against their will at the Home run by Respondent No.4 at Kotdwar, Uttarakhand.

7. Mr. Rahul Mehra, the learned Standing Counsel for the State, offers that the SHO of P.S. Begumpur will bring to the notice of his counterpart, viz., the police of the concerned P.S. at Sector-74, Noida the above facts and seek the registration of an FIR. The SHO of P.S. Begumpur will also inform his counterpart at Noida Sector 74, that CCTV footage is available on the mobile phone of the Petitioner. Any documents/evidence gathered thus far by P.S. Begumpur will also be provided to the police at Sector-74, Noida who will immediately register an FIR and take up the matter for further

investigation. The P.S. Begumpur will cooperate with the police at Noida Sector-74 as regards the forcible detention of the Petitioner at the Home of run by Respondent No.4 at Delhi. Likewise, the police at Uttarakhand within whose jurisdiction the Home is being run by Respondent No.4 will also cooperate with the police at Noida Sector-74 as regards the investigation into the illegal detention of the Petitioner at the Home run by Respondent No.4 at Kotdwar, Uttarakhand.

8. No further directions are called for in the petition. The petition is disposed of.

9. *Dasti* to the parties under the signature of the Court Master.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MAY 07, 2018

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