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

+ **W.P.(CRL) 1778/2018**

MAHESH KUMAR

..... Petitioner

Through: Mr. Surender Tyagi with Mr. Akshay
Verma, Advocates

versus

STATE, GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel,
GNCTD with Mr. Chaitanya Gosain
Insp. Mukesh Kumar, SI Parmod, PS
Sangam Vihar

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER
31.05.2018

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Crl. M.A. No. 11025/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 1778/2018

The petitioner has preferred the present writ petition to seek a writ of habeas corpus for production of his wife– Poonam, who he claims is in the clutches of Kamruddin, Lal Mohd, Buddan and Ayub. He also seeks registration of FIR under Sections 494/495 and 498 IPC.

It is disclosed by the petitioner himself in the writ petition that his wife had gone missing on 15.10.2015. He got registered FIR No. 297/2017

on 21.06.2017 wherein he alleged that she had been taken away and he had named the accused as the persons who had taken away his wife.

After investigation, the police filed a closure report in the said case on 11.10.2017 which was accepted by learned MM on 07.11.2017. The status report tendered in court by Mr. Mehra upon advance notice also discloses that the statement of the petitioner's wife was recorded under Section 164 CrPC by the learned MM on 11.08.2017 wherein she disclosed that she had left her matrimonial home and that she did not want to reside with him on account of her being subjected to physical violence and on account of the petitioner allegedly asking her to indulge in prostitution.

In these circumstances, in our view the present petition is wholly misconceived and is a gross abuse of the process of the Court. If the petitioner has any grievance against any persons, it is for him to prefer his private complaint.

The petition is accordingly dismissed.

VIPIN SANGHI, J

P.S.TEJI, J

MAY 31, 2018

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