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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1792/2018

MOHD. ASHRAF

..... Petitioner

Through: Mr. Mukul Sharma and Mr. Parshant
Kumar, Advocates.

versus

THE STATE AND OTHERS

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
(Crl.) with Mr. Chaitanya Gosain,
Advocate for State with SHO Satish
Kumar, PS-Swaroop Nagar.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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01.06.2018

CRL.M.A. 11106/2018

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

W.P.(CRL) 1792/2018 & CRL.M.A. 11105/2018

2. The Petitioner seeks the production of his wife and three children who according to him were, in a pre-planned manner, taken away on 15th May 2018 by his wife (Respondent No.4).

3. On service of an advance copy of the petition, a status report dated 1st June 2018 has been filed by Inspector Satish Kumar, Station House Officer ('SHO') of Police Station('PS') Swaroop Nagar, North West (Delhi) in which he states that Respondent No. 4 was found to be living with her

parents at Raja Vihar, Samaypur Badli. While she did not dispute that she had married the Petitioner way back on 14th January 2008 in a *nikaah* ceremony after she converted to Islam, and three children were born to them, on account of domestic violence and demand of money by the Petitioner from her parents she decided not to live with him. She is afraid for the safety of her children and herself. She has lodged a complaint against the Petitioner at Police Station Samaypur Badli and with the Delhi Commission for Women.

4. Respondent No.4 has appeared before this Court. Mr. Mehra informs the Court that she has reiterated her decision to live away from the Petitioner. She has confirmed that the custody of the three children is with her.

5. In the above circumstances the Court does not find any occasion to issue any directions in the present *habeas corpus* petition. It is however open to the Petitioner to seek other appropriate remedies that may be available to him in accordance with law.

6. The petition is disposed of in the above terms.

S.MURALIDHAR, J

I.S.MEHTA, J

JUNE 01, 2018/nd