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

+ **W.P.(CRL) 2584/2018**

BIJOY SAIMA Petitioner

Through: Petitioner in person
versus

THE STATE & ORS. Respondents

Through: Mr. Rahul Mehra, Standing counsel
(Crl.) with Mr. Chaitanya Gosain, Mr. Jamal
Akhtar and Mr. Tushar Sannu, Advocates for State
with Inspector Prashant Yadav and SI Sushil
Kumar, P.S. IGI Airport

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VINOD GOEL

ORDER
31.08.2018

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Crl. M. No. 31116/2018 (Exemption)

1. Exemption allowed, subject to all just exceptions.

W. P. (Crl.) 2584/2018

2. This petition has been filed by the Petitioner in person seeking production of his wife Ashmita and his daughter Praslin Saima, aged around two years. According to him, his wife and child left Chennai by air without informing him and reached Delhi Airport after which he could not ascertain their whereabouts.

3. On the receipt of an advance copy of the petition, the Station House Officer ('SHO') of Police Station ('PS') IGI Airport has filed a status report dated 30th August, 2018 in which he acknowledges that a written complaint was received from the Petitioner on 26th August, 2018 which was lodged as DD No. 16A at PS IGI Airport. The SHO spoke to the Petitioner's wife who informed him that she is at present with her parents along with the daughter and that both of them are safe. The Petitioner was also made to talk to his wife on mobile and she assured him that both she and her daughter were safe with her mother.

4. The SHO notes in the status report that the Petitioner's mother-in-law also spoke on the phone and assured that the Petitioner's wife and daughter were safely with her at her home.

5. When the Petitioner's wife was contacted again, she stated that she has filed a petition in the Family Court at Bareilly, U.P for divorce and the next hearing in the said case is on 3rd October, 2018. She sent a copy of the petition to the Enquiry Officer on Whatsapp stating that on 27th August, 2018 the Petitioner had gone to the house of in-laws to settle their matrimonial disputes. The photographs of the wife and daughter of the Petitioner which were sent to the SHO on Whatsapp have also been shown to this Court.

6. In that view of the matter, it is plain that the wife and child of the Petitioner are not being illegally detained against their wishes. As regards

any other grievance that the Petitioner may have, it will be open to him to seek other appropriate remedies in accordance with law.

7. The petition is disposed of.

8. A copy of this order be given *dasti* to the parties under the signatures of Court Master.

S. MURALIDHAR, J.

VINOD GOEL, J.

AUGUST 31, 2018

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