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

+ **W.P.(CRL) 3752/2018**

**LAKHAN LAL RAIKWAR**

..... Petitioner

Through: Mr. Ravi Aggarwal, Advocate with  
petitioner in person.

versus

**STATE**

..... Respondent

Through: Mr. Chaitanya Gosain, proxy for  
Mr. Rahul Mehra, SC (Crl.) GNCTD.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**11.12.2018**

**Crl. M.A. No. 49321/2018 (Exemption)**

Allowed, subject to all just exceptions.

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1. The present petition has been filed by the petitioner praying *inter alia* for issuing directions to the respondent/State to produce and hand over his wife, Neeru and their minor three years old younger daughter, Aradhya.
2. The version of the petitioner as set out in the writ petition is that he had got married to Neeru in the year 2009 and they have two children from out of the said wedlock. On 05.10.2018, the petitioner's wife and younger daughter, Aradhya went to ESI Dispensary but did not return. On the very next day, the petitioner lodged a complaint of his missing wife and daughter

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with P.S. Tilak Nagar at 3.00PM. The petitioner has been repeatedly visiting P.S. Tilak Nagar but they have not been able to trace his wife and daughter. In the meantime, the petitioner has come to know from a source that his wife has left with her daughter to Haathras, U.P. and during the subsistence of the present marriage, she has allegedly got married to some third person. Hence, the present petition.

3. Learned proxy counsel appearing for the Standing Counsel (Crl.) for GNCTD hands over a Status Report prepared by the SHO, P.S. Tilak Nagar wherein it is stated that the petitioner had informed the police that he suspected that his wife has eloped with one Sunil, who is a resident of District Hathras, U.P. The local police visited the said address but could not gather any information about the petitioner's wife and his child or Sunil and the family members of Sunil informed them that he is working in Ghaziabad, Delhi.

4. On 10.12.2018, once again the local police had visited Hathras for searching the missing duo and it was at Aligarh that they were traced alongwith Sunil. Neeru has informed the police that she has left her home with her younger daughter of her own free will with Sunil and she had got married to him at Arya Samaj Sewa Sankar Sansthan, Aligarh, U.P. on 25.10.2018. She has also provided a self attested copy of the marriage certificate. Learned proxy counsel hands over a copy of the handwritten statement of Neeru alongwith copies of documents relating to the purported marriage solemnized by her with Sunil. The said documents are taken on record with copies furnished to learned counsel for the petitioner.

5. In view of the submissions made above, nothing further survives in the present petition. The petitioner has now been informed about the whereabouts of his wife and minor child. It is for him to seek legal recourse, as may be advised.

6. The petition is disposed of.

**HIMA KOHLI, J**

**MANOJ KUMAR OHRI, J**

**DECEMBER 11, 2018**

ap/rkb