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

+ **W.P.(CRL) 3631/2017**

SAHAB DAYAL

..... Petitioner

Through: Mr. (appearance not given) with
Petitioner in person

versus

STATE & ORS.

..... Respondents

Through: Ms. Kamna Vohra, ASC for State
with Insp. Surya Prakash, PS Rohini
(North).

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

% **16.02.2018**

1. The Petitioner seeks a writ of *habeas corpus* to the Respondents produce his wife Khushboo. The petitioner's case is that he got married to her on 23rd November, 2017 and on 26th December, 2017 Respondents No.4 to 8 forcibly took her away from his residence.

2. Pursuant to the notice issued in the present petition, a status report has been filed by Inspector B.K. Singh, Station House Officer ('SHO') PS North Rohini. He states that Khushboo visited the PS along with her parents and stated that no one had kidnapped her and that she was residing with her parents of her own free will. She alleged that the Petitioner used to beat her. He purportedly took her to the Darbhanga Railway Station and asked her to arrange Rs.8 Lakh from her family members. She had then called her

brother. Her *tau* (her father's elder brother) then came there and took her with him to their village Taruni and she went with him of her own free will and not under any force or compulsion.

3. Khushboo is present in Court today and reiterates that she does not wish to stay with the Petitioner. She maintains that she is staying with her parents at her native village of her own free will.

4. Learned counsel for the Petitioner suggested that the parties be sent for mediation. However, Khushboo is not willing to do so. She has levelled serious allegations against the Petitioner. In the circumstances, the Court is not inclined to accede to the request of the Petitioner that the parties be sent for mediation at this stage.

5. There is therefore no occasion to issue any directions in the present writ petition. However, it is open to the Petitioner to seek other appropriate remedies as may be available to him in accordance with law.

6. The petition is accordingly dismissed.

S. MURALIDHAR, J.

I.S. MEHTA, J.

FEBRUARY 16, 2018/nd