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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 3031/2019

AJAY KUMAR Petitioner

Through: Mr.M.B. Harikant, Adv

versus

THE DEPUTY COMMISSIONER OF DELHI & ORS

..... Respondents

Through: Mr.Rahul Mehra, SC(Crl.) with
Mr.Chaitanya Gosain, Adv for State
with Insp.Subhash Meena,
SHO/Swaroop Nagar

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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23.10.2019

Present writ of habeas corpus had been filed by the petitioner – husband Mr.Ajay Kumar seeking production of his wife Ms.Komal aged about 28 years who had been missing since 05th September, 2019. In the petition it had been averred that the petitioner had received a call from Ms.Komal on 12th October,2019 stating that she has been detained by respondent No. 3 Mr.Bunty. The petitioner and Ms.Komal have two children aged about 2 years and 6 months.

Mr.Rahul Mehra, learned Standing Counsel (criminal) for the State, who appears on advance notice, has produced Ms.Komal before this Court.

We have spoken to her in our Chambers. She states that she

had voluntarily left her matrimonial home and was staying with Mr.Bunty out of her own free will and volition.

Since Mr.Bunty is not personally present in Court and the issue of interim custody of the two children would have to be decided in the present proceedings, Mr.Bunty is directed to be personally present in Court tomorrow.

The custody of two minor children is handed over to Ms.Komal for the next 24 hours and the Investigating Officer is directed to ensure that Ms.Komal and her two children are lodged at Apna Ghar Ashram Mahila Sadan, Village Budpur, Nangli Poona, Delhi under police protection.

List tomorrow i.e., 24.10.2019.

Order *dasti* under the signature of the Court Master.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

OCTOBER 23, 2019

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