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

+ W.P.(CRL) 748/2019

NEHA YADAV

..... Petitioner

Through: Mr. Gopal Bihari, Advocate
with petitioner in person.

versus

STATE & ORS

..... Respondents

Through: Mr. Rahul Mehra, SC (Crl.) with
Mr. Chaitanya Gosain, Advocate for R-1 and R-2
and SI Sanjeev Chaudhary PS Delhi Cantt.
Mr. Sumit Nagpal, Advocate for R-3 to R-5
with respondent No.5 in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **13.03.2019**

1. The present petition has been filed by the petitioner praying *inter alia* that the respondents No.1 and 2/State be directed to produce her husband/respondent No.5 in Court on the ground that he has been placed under house arrest by his parents, respondents No.3 and 4.

2. Mr. Rahul Mehra, learned Standing Counsel (Crl.) states, at the outset, that the present petition is nothing but an offshoot of two petitions filed by the petitioner against the respondent No.5, one under Section 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights and another under Section 125 Cr.P.C., for maintenance. He states that besides the
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aforesaid two cases, the respondents No.3 and 4, parents of the respondent No.5, have filed a suit for permanent and mandatory injunction against the petitioner, which is pending before the learned Sr. Civil Judge, Patiala House Courts, New Delhi.

3. The next date of hearing in the civil suit instituted by the respondents No.3 and 4 against the petitioner is 23.3.2019. We are informed that the petitioner has been appearing in the said case. The next date of hearing in the petition for restitution of conjugal rights, filed by the petitioner is 10.4.2019. Learned counsel for the respondents No.3 to 5 states on instructions that the respondent No.5 will enter appearance in the said case on the date fixed. The next date of hearing in the petition filed by the petitioner under Section 125 Cr.P.C. pending before the Family Court, Patiala House Court, New Delhi, is 27.3.2019. Learned counsel for the respondents No.3 to 5 states on instructions that the respondent No.5 shall enter appearance in the said proceedings as well.

4. In view of the fact that the respondent No.5 is present in Court and denies the allegation that he has been placed under house arrest by his parents, the respondents No.3 and 4, no further orders are required to be passed in the present petition, which is disposed of accordingly.

HIMA KOHLI, J

VINOD GOEL, J

MARCH 13, 2019

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