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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1738/2019**
LAKHAN KHARARA Petitioner

Through Mr. Rajeshwar K. Gupta and Ms.
Sangeeta Verma alongwith petitioner
in person

versus

THE STATE & ORS Respondents
Through Ms. Kamna Vohra, Advocate

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
HON'BLE MR. JUSTICE TALWANT SINGH

ORDER
% **10.06.2019**

This petition has been filed by the petitioner praying for a writ of habeas corpus for directing the respondents to produce his wife Smt. Jyoti and set her at liberty.

Today, respondent no.3/father of Ms. Jyoti, the wife of the petitioner is also present in Court apart from Ms. Jyoti. Vide the present petition, the petitioner has also prayed that the life and liberty of Smt. Jyoti be protected by R-1 and R-2 and the petitioner herein be enabled to live with Smt. Jyoti as spouses without interference by any person.

A prayer was further made through the petition that Smt. Angoori Devi, wife of the respondent no.3 (apparently the mother of Smt. Jyoti) be also directed not to interfere in the matrimonial life of the petitioner and Smt. Jyoti.

As per the averments made in the writ petition, which are not refuted even by Smt. Jyoti on examination by us in chamber, the petitioner and Smt. Jyoti were married on 06.07.2018 and both the petitioner and Smt. Jyoti are majors in as much as the date of birth of Smt. Jyoti is 14.08.1999 and the date of birth of the petitioner is 04.02.1997. Smt. Jyoti, as observed hereinabove, has admitted the factum of marriage with the petitioner. She however submitted that now she is living with her parents and is under no influence and under no pressure and she does not want to return to her spouse. She has further submitted that she wants a divorce from the petitioner and reiterated the said submission even now in Court.

In these circumstances, Smt. Jyoti, being an adult, not being under any influence inasmuch even the petitioner was given an opportunity to talk to Smt. Jyoti in chamber which has been duly availed, despite which Smt. Jyoti has submitted that she does not want to live with the petitioner. Thus, no relief can be granted as prayed. There is no merit in the petition which is thus dismissed.

**ANU MALHOTRA, J
(VACATION JUDGE)**

**TALWANT SINGH, J
(VACATION JUDGE)**

JUNE 10, 2019/rr