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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1849/2019

MOHD MUJEEB alias SONU KUMAR & ANR. Petitioners
Through Mr. Zeeshan Khan with Mr. Varun
Agrawal, Ms. Jyoti Zonglugu and
Mr. Mafaz Saleem, Advocates
Petitioner nos. 1 in person.

versus

STATE & ORS. Respondents
Through Mr. Rahul Mehra, Standing
Counsel (Criminal) with Insp.
Suman Kumar Singh and SI Satish
Saini, PS Sarita Vihar for State/R-1
to R-5.
Ms. Pooja Gupta, petitioner no. 2 in
person.
Ms. Suyesha Saini, Advocate for R-
9 to R-12.
Respondent nos. 6 to 9 in person.

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Date of Decision: 17th July, 2019

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

J U D G M E N T

MANMOHAN, J: (Oral)

1. Present writ of habeas corpus has been filed by the petitioner no. 1 seeking production of petitioner no. 2-Ms. Pooja Gupta.

2. It has been averred in the present petition that the petitioner no. 1 had converted to Hindu faith on 2nd June, 2019 and had married Ms. Pooja Gupta at an Arya Samaj Mandir on 13th June, 2019.
3. It has been further averred in the present petition that Ms. Pooja Gupta was got forcibly married to respondent no. 9 by her parents subsequently.
4. In pursuance to the order dated 9th July, 2019 passed by a Coordinate Bench of this Court, Ms. Pooja Gupta has been produced in the Court. We have spoken to the petitioners as well as the parents of Ms. Pooja Gupta at length.
5. Ms. Pooja Gupta, who is personally present in Court is emphatic and firm on her decision that she would like to stay with petitioner no. 1. She also confirms the allegations in the writ petition.
6. Since admittedly Ms. Pooja Gupta is a major, this Court is of the view that she is entitled to stay with whomsoever she deems appropriate. In the event, any of the respondents wish to seek any remedy against her, they are at liberty to file appropriate legal proceedings.
7. At this stage, the parents of Ms. Pooja Gupta as well as respondent no. 9 state that they will neither cause any physical harm to the petitioners nor get in touch with them.
8. The statements made by the parties are accepted by this Court and they are held bound by the same.
9. Keeping in view the aforesaid Ms. Pooja Gupta is permitted to go with petitioner no. 1. The SHO, Police Station Sarita Vihar, Delhi, is directed to ensure that no bodily harm or injury is caused to the petitioners. The beat constable of the concerned area is also directed to

visit the petitioners at their address and provide them his mobile number as well as concerned SHO's mobile number. In the event of any emergency, petitioners would be entitled to get in touch with them.

10. With the aforesaid direction, present writ petition stands disposed of.

Order dasti.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

JULY 17, 2019

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