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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 129/2020

MOHD. IRSHAD

..... Petitioner

Through: Mr. M.M. Kashyap, Advocate with
petitioner in person.

versus

STATE & ORS.

..... Respondent

Through: Mr. Rahul Mehra, Standing counsel
(Crl.) for the State with Mr. Chaitanya
Gosain, Advocate.

Insp. D.K. Tejwan, PS Pandav Nagar,
Delhi.

Respondent No.6 in person.

Ms. Shupra Gaur in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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17.01.2020

Crl.M.A. 857/2020 (for exemption)

Allowed, subject to just exceptions.

Accordingly, present application stands disposed of.

W.P.(CRL) 129/2020

Present writ of habeas corpus has been filed by the petitioner-husband for production of his wife Ms. Shupra Gaur @ Aisha, who had been allegedly forcibly taken away by her father-respondent No.6 on 08th December, 2019.

In the present petition, it has been averred that the petitioner and Ms.Shupra Gaur @ Aisha had married against the wishes of her parents on 04th January, 2019. They had been granted police protection by the High Court of Rajasthan vide order dated 31st January, 2019. It has been further averred that the petitioner and his missing wife Shupra Gaur @ Aisha had subsequently moved to Delhi.

It is alleged by the petitioner that on 08th December, 2019 when Ms.Shupra Gaur @ Aisha had left her house to go to the examination centre, she was forcibly taken away by her father-respondent No.6 to Rajasthan.

The State has produced Ms. Shupra Gaur @ Aisha before this Court. We have spoken to her in our chamber. Her final decision is that she would like to stay with her parents. Consequently, she is permitted to stay with her parents. However, if the petitioner has any right against her, he shall be at liberty to file appropriate legal proceedings.

The Standing counsel for State is directed to provide the mobile number of the beat constable as well as the SHO of the concerned area to the petitioner so that in the event of any emergency, he can get in touch with them in future.

Accordingly, the present writ petition stands disposed of.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

JANUARY 17, 2020

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