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

+ W.P. (Crl.) No. 816/2020 and CM APPL. 6449-6450/2020

RAJ KUMAR

.....Petitioner

Through: Ms. Pushp Lata, Advocate with
petitioner in person

versus

STATE & ANR.

....Respondents

Through: Mr. Rahul Mehra, St. Counsel with
Mr. Chaitnaya, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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15.05.2020

HEARD THROUGH VIDEO CONFERENCING.

1. The petitioner, who claims to be a permanent resident of District Hisar, Haryana, has filed the present petition praying, *inter alia*, for issuance of a writ habeas corpus against the respondent No.2, his father-in-law, stating that he along with his elder brother had visited the petitioner's house on 27.09.2019 and they took Aru, (wife of the petitioner and daughter of the respondent No.2) to participate in the marriage ceremonies of his elder daughter, where after Aru has not been sent back to the matrimonial home and is being illegally detained by the respondent No.2.

2. At the outset, Mr. Rahul Mehra, learned Standing Counsel (Crl.) states that in the Memo of Parties, the petitioner has given a wrong address of village Burari. On local verification, it has transpired that the house number mentioned in the Memo of Parties, is owned by Sh. Raghunandan Shastri, who has stated that he does not know the petitioner and nor has he let out his premises to anyone. Learned Standing Counsel submits that this Court is not vested with the

territorial jurisdiction to entertain the present petition when admittedly, the petitioner is a resident of District Hisar, Haryana and the respondent No.2 (father of the petitioner's wife) is a resident of Aligarh, UP. If at all the respondent No.2 is illegally detaining the petitioner's wife, as alleged, it is for the petitioner to approach the appropriate Court vested with territorial jurisdiction, for relief.

3. We are inclined to agree with the learned Standing Counsel (Crl.), GNCTD. The petitioner has not been able to demonstrate how the present petition is maintainable in this court.

4. At this stage, Ms.Pushp Lata, learned counsel for the petitioner states, on instructions from the petitioner that she may be permitted to withdraw the present petition while reserving his right to seek the same relief as prayed for in this petition, before the appropriate Court vested with territorial jurisdiction.

5. Liberty, as prayed for, is granted. The present petition is dismissed as withdrawn alongwith the pending applications.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

MAY 15, 2020

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