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

+ W.P. (CRL.) 852/2020

RAJU PRASAD

.....Petitioner

Through: Mr. Vishal Raj Sehijpal, Advocate with
petitioner in person.

versus

STATE & ORS.

.....Respondents

Through: Mr. Rahul Mehra, Standing Counsel
(Crl.) with Mr. Chaitanya Gosain,
Advocate for State with SI Prem Yadav,
PS Ranhola.
Mr. Subodh Kr. Jha, Advocate for
respondent No.2.
Ms. Khushboo, through video link
at the chamber of Standing counsel
(Crl.), Delhi High Court.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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02.06.2020

The matter has been heard by way of video conferencing.

Present writ of habeas corpus had been filed by the petitioner-husband seeking production of his wife Ms. Khushboo, aged over eighteen years, who has been allegedly taken away by her family members.

Present writ petition was listed before us yesterday. The following order was passed yesterday:-

"CRL. M.A. 6989-6990/2020

Allowed, subject to just exceptions.

W.P. (CRL.) 852/2020

The writ petition has been listed before this Bench by the Registry in view of the urgency expressed therein.

The matter has been heard by way of video conferencing.

It is pertinent to mention that present writ of habeas corpus has been filed by petitioner-husband seeking production of his wife Ms. Khushboo, aged over 18 years who has been allegedly taken away by her family members on 20th May, 2020.

In the petition, it has been averred that the petitioner had married Ms. Khushboo with her consent, but against the wishes of her parents, at Arya Samaj Mandir, Palam Village on 19th May, 2020.

We have spoken to Ms. Khushboo through video link at Police Station Ranhola. She has expressed her desire to be shifted to a safe home and has stated that she would like to speak to us through a video link at Delhi High Court tomorrow.

Issue Notice.

Mr. Rahul Mehra, learned standing counsel for the State accepts notice on behalf of respondent No1.

Issue notice to respondent No. 2 without process returnable for 02nd June, 2020 at 12.30 p.m.

In the meantime, Ms. Khushboo is directed to be shifted by respondent No. 1 to either Nari Niketan (Quarantine Centre) or to a good NGO run home with proper security. The petitioner and Ms. Khushboo shall be produced before us by respondent no. 1 through video link at Delhi High Court on 02nd June, 2020 at 12.30 p.m.

The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail."

Today, after hearing the learned counsel for the parties, we have spoken to Ms. Khushboo separately over video conferencing from the chamber of the learned Standing counsel (Criminal) for the State by putting everyone in the lobby. Ms. Khushboo confirms the factum of her marriage with the petitioner and states that she would like to reside with the petitioner. She also states that she is under no pressure and coercion and has taken this decision out of her own free volition.

Keeping in view the aforesaid as well as the fact that Ms. Khushboo is a major, we allow Ms. Khushboo to go with the petitioner.

It is pertinent to mention that both the petitioner as well as Ms. Khushboo are at the moment in the Delhi High Court premises. The petitioner's counsel is directed to furnish the new address of the petitioner to the Investigating Officer forthwith.

The Investigating Officer is directed to hand over the custody of Ms. Khushboo to the petitioner forthwith.

The SHO of the concerned area, where the petitioner shall be residing, is directed to ensure that no bodily harm or injury is caused either to the petitioner or Ms. Khushboo. The Beat Constable of the concerned area is also directed to visit the petitioner as well as Ms. Khushboo at the petitioner's new address and give his as well as concerned SHO's mobile numbers to them. In the event of any emergency, petitioner and Ms. Khushboo would be entitled to get in touch with them.

With the aforesaid directions, the present writ petition stands disposed of.

The order be uploaded on the website forthwith.

Order dasti under the signature of the Court Master.

MANMOHAN, J

SANJEEV NARULA, J

JUNE 02, 2020

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