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

+ W.P.(CRL) 1002/2020

RAJU SHARMA

..... Petitioner

Through: Mr. Bharat Bhushan, Advocate along
with petitioner.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ajay Dignpaul, Advocate for
respondent No.1/UOI.
Mr. Chaitanya Gosain, Advocate for
respondent No.2/ GNCTD.
Ms. Lalita – wife of the petitioner,
along with Master Chandan – son of
the parties.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

03.07.2020

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Issue notice. Mr. Dignpaul accepts notice on behalf of Union of India and Mr. Chaitanya Gosain accepts notice on behalf of Mr. Rahul Mehra, Standing Counsel for GNCTD.

The petitioner has preferred the present writ petition to seek a writ of Habeas Corpus for production of his wife and his two children. The case of the petitioner is that his wife – Lalita, had gone to her parental home on 19.03.2020. Thereafter, on account of the Covid-19 Pandemic, lock-down

was imposed. After the lock-down was lifted and he went to bring her back to her home, respondent No.3 – the father of Lalita, did not permit Lalita and the children to return. The petitioner also states that he is not aware about the whereabouts of Lalita and the two children.

The State has filed a status report. As per the status report, Lalita has made a statement that she voluntarily does not wish to return to reside with the petitioner.

During the course of this hearing through video-conferencing, Lalita has been produced at the police station. We have interacted with her as well as her son – Chandan. Both of them state that they do not wish to reside with the petitioner on account of his behaviour and conduct.

In these circumstances, we are not in position to issue the writ as sought by the petitioner. It is left open to the parties to avail of their remedies in accordance with law.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 03, 2020

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