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

+ W.P.(CRL) 1201/2020 and Crl. M.A. Nos. 10605-10606/2020

FARAH SAEED

..... Petitioner

Through: Mr. Zeeshan Khan, Advocate with
petitioner in person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
and Mr. Chaitanya Gosain, Advocate
for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

07.08.2020

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1. The petitioner has preferred the present writ petition to seek a writ of Habeas Corpus for production of her minor daughter Narjis – who is under three years of age. The submission of the petitioner is that the petitioner's said daughter has been forcibly taken away by her estranged husband on 29.07.2020. The said act allegedly took place at Aligarh (U.P.) – where the petitioner was residing, at the relevant time, with her parents. The husband of the petitioner, i.e. respondent No.4 is the resident of Rampur (U.P.) – where he is stated to have taken the said child. The petitioner has claimed jurisdiction of this Court on the ground that she came to reside with her *Khaala (Mausi)* – who resides in Khajuri Khas (Delhi).

2. The State has filed a status report which belies this claim of the petitioner. There is nothing to show that the petitioner has been residing in Delhi. There is no material placed on record to show that any part of cause of action has arisen within the jurisdiction of this Court. Even the respondents No.4 & 5 are residing in Rampur (U.P.).

3. In our view, this Court does not have territorial jurisdiction to entertain the present writ petition. We, accordingly, dismiss the same on the said short ground leaving it open to the petitioner to approach the competent Court of jurisdiction. We make it clear that we have not examined the merits of this case while passing this order.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

AUGUST 07, 2020

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