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

+ **W.P.(CRL) 1288/2020 & CRL.M.A. 11330/2020**

AAKASH

..... Petitioner

Through: Mr. Nikhilesh Sharma, Advocate
along with petitioner.

versus

GOVT OF NCT OF DELHI

....Respondent

Through: Mr. Rahul Mehra, Senior Standing
Counsel (Crl.) for the State and
Mr. Chaitanya Gosain, Advocate
Dr. Manish Singhvi, Senior
Advocate with Mr. D.K. Devesh,
Advocate for respondents No.3 and
4
Ms. Neelam Narang, APP for
DCW

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

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28.08.2020

1. The hearing has been conducted through video conference.
2. Ms. Neelam Narang, Additional Public Prosecutor, Delhi Commission for Women present in Court submits that Delhi Commission for Women had two counseling sessions with Ms. Monica. The Counseling sessions were conducted by a team consisting of Ms. Kiran Negi, Member/Legal Consultant, DCW; Ms. Princy Goel, Member, DCW and Ms. Swati Tirkey, Psychologist. Ms. Swati Maliwal, Chairperson,

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By: RAJENDER SINGH
KARKI
Signing Date: 30.08.2020
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DCW also interacted with Monica. DCW has submitted the Report that Monica wants to live with the petitioner.

3. Monica is present through video conference and she has very clearly conveyed her decision to stay with the petitioner, Aakash.

4. Learned senior counsel for respondents No.3 and 4 has informed this Court that Monica still has first subsisting marriage and her decision to stay with Akash without dissolution of first marriage is not correct. This contention of learned senior counsel for respondents No.3 and 4 cannot be considered by this Court as this is a petition for habeas corpus by the petitioner. Monica being major is free to take all decisions relating to her life. If any person is aggrieved with the decision of Monica to stay with petitioner, he can peruse his remedies as per law.

5. The writ petition is accordingly disposed of. It is made clear that this Court has not expressed any opinion on the decision of Monica to live with petitioner. The pending application is also disposed of.

6. This Court appreciates the efforts made by DCW in counseling Ms. Monica, in terms of the last order.

7. The order be uploaded on the website of this Court forthwith.

J.R. MIDHA, J.

BRIJESH SETHI, J.

AUGUST 28, 2020/ds