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

+ **W.P.(CRL) 127/2024**

SANJEET KUMAR YADAV

..... Petitioner

Through: Mr. Sumit Srivastava, Mr. Jyotirmay
Vsishtt and Mr. Yash Basoya,
Advocates

versus

GOVERNMENT OF NCT OF DELHI & ORS ... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal, Mr.
Abhinav Kr. Arya, Mr. Shivesh
Kaushik, Advocates, Insp. Sanjeev
Mishra and SI Paras Dhyani, PS
Jaitpur

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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24.05.2024

1. The present petition is listed today on mentioning of learned Standing Counsel (Crl.) who submits that wife of the petitioner has been rescued and she is present in Court today.
2. Present petition has been filed as Habeas Corpus under Article 226 of the Constitution of India seeking directions to the respondent to produce the wife of the petitioner.
3. The petitioner is aggrieved by the fact that on 08.12.2023 at around 09:00 a.m., his wife, aged 19 years, went from the house without informing him. Petitioner tried finding his wife in the nearby vicinity of the house but



to no avail. Apprehending that his wife must have been kidnapped, a compliant (GD No.00996A dated 08.12.2023) was got registered.

4. Petitioner has averred that he was informed by respondent No.5 that his wife has been illegally taken by respondent no.2 to Bihar and that matter has been sent to Bihar police station.

5. Pursuant to order dated 05.04.2024, learned Standing Counsel (Crl.) has handed over a status report dated 24.05.2024 in Court today which is taken on record wherein it is mentioned that during investigation, information pertaining to a suspected Facebook Id 'Shivraj Meghwal Shivraj Meghwal' in which photographs of missing girl were identified by petitioner was obtained and mobile No.9079798839 was found to be associated with the said account. The afore-mentioned mobile number was found to be registered in the name of Shivraj Meghwal son of Ghevar Ram, resident of Village Sumel, Meghwalon ka bas, Sumel Pali Rajasthan. Accordingly, on 22.05.2024, police team reached at the aforesaid address, from where the missing wife of the petitioner was traced out. She stated that she had married to Shivraj Meghwal in March, 2024 and since then, she had been living with him. Thereafter, on 23.05.2024, both Shivraj and the wife of the petitioner came to Police Station Jaitpur. Statement of wife of the petitioner was got recorded under Section 161 Cr.P.C. wherein she revealed that she got married to petitioner in June, 2023 and as she was not happy with him, on 08.12.2023, she went away from Jaitpur, New Delhi from petitioner's home. She then met a person namely Mukesh who she had interacted on internet and became friend with him. Thereafter, on 09.12.2024, she reached Railway Station Saharsa, Bihar but Mukesh did not reach there. She waited for 2-3 hours but Mukesh never came. Thereafter, two persons namely



Rahul Yadav and Pooja Devi along with their son Manish Kumar came to her and she told entire story to them. They offered her shelter in Supaul, Bihar and she agreed to go with them. She stayed with them in a room near Degree College in Supaul, Bihar. In March, 2024, Rahul and Pooja asked her if she wanted to get married to which she agreed and they went to Byavar, Rajasthan where they met Shivraj Meghwal. She agreed to marry him and she had been staying with him since then.

6. The wife of the petitioner is present in Court and she does not dispute the aforesaid facts. She submits that she would like to go with her parents and not with the petitioner.

7. Learned APP for State submits that the statement of wife of the petitioner under Section 164 Cr.P.C. is to be recorded today itself before the concerned MM.

8. Since wife of petitioner is adult, she is at liberty to go wherever she wants.

9. Accordingly, the present petition stands disposed of.

10. The date already fixed, i.e. 30.05.2024, stands cancelled.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

MAY 24, 2024/rk