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

% ***Date of decision: 09.02.2024***

+ **W.P.(CRL) 257/2024**

GEETA NAGAR

..... Petitioner

Through: **Ms. Amita Sachdeva, Advocate**

versus

THE STATE OF NCT DELHI AND ORS.

.... Respondents

Through: **Ms. Priyam Agarwal, Mr. Abhinav Arya and Mr. Ashish Kaushik, Advocates for Mr. Sanjay Lao, Standing Counsel (Crl.) with for State Insp. Ajay Katewa and SI Akash, PS Okhla Industrial Area**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The present petition has been preferred under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking issuances of writ, order or directions in the nature of Habeas Corpus to the respondents to produce her daughter and directions to the respondent Nos.1 & 2 to take action against respondent Nos.3 to 7.

2. The brief facts of the case are the petitioner's daughter Miss 'A' who has been undergoing psychiatric treatment for last one year went to Kalka Ji Mandir, Delhi on 16.01.2024 around 11-11:30 AM, but she did not return



home. It is averred that the petitioner's eldest daughter received a telephonic message from her missing daughter that she had married one Vipin and a marriage certificate thereof was also sent along showing that she got married on 05.09.2023. Thereafter, the petitioner and her family started searching for her missing daughter but despite their best efforts, they did not get any information about her whereabouts. On 19.01.2024, petitioner filed a complaint against said Mr. Vipin, his parents and relatives, however, her complaint was not registered by the police on the ground that the petitioner's missing daughter was 25 years old and had gone with Vipin with her own free will. Thereafter, the petitioner apprehending illegal detention of her daughter by respondent Nos.3 to 7 registered a missing person report with the police. However, no action was taken on her complaint. Hence, the present petition is filed.

3. Miss 'A', the missing daughter of petitioner is present in Court and she submits that she has married Vipin voluntarily and would like to stay with him only. She further submits that she has apprehension that her family members and family members of her husband may cause harm to them as they are not happy with their marriage.

4. Petitioner is present in Court and submits that she has no objection to the marriage of her daughter. However, she supplements that she and her family would not keep any relation with Miss 'A' and her husband and that would not even be allowed to visit their house.

5. Since the daughter of petitioner has already married respondent No.3 and wants to stay with him with her own free will, no further order is required to be passed. However, if the couple apprehends any danger or threat to their life, adequate protection be provided to them by the police.



6. It is made clear that if any harm is caused to Miss 'A' and Mr. Vipin by their families, action shall be taken against them as per law.
7. Miss 'A' has requested this Court to provide them escort upto Noida, Uttar Pradesh where they are staying. Accordingly, respondent-State is directed to provide necessary escort to Miss 'A' and Mr. Vipin Nagar upto Noida, Uttar Pradesh.
8. With directions as aforesaid, the petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

FEBRUARY 9, 2024/rk