



2024: DPO: 1514-15



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 07th March, 2024

+ W.P.(CRL) 786/2024 & CRL.M.A. 7350/2024

MD NAUSHAD

..... Petitioner

Through: Mr. Jai Subhah Thakur,
Advocate.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing
Counsel (Crl.) with Ms. Priyam
Agarwal, Mr. Abhinav Kumar
Arya and Mr. Shivash Kaushik,
Advocates with SI Lokender
Singh, PS S.B. Dairy.**CORAM:****HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Present petition has been filed by petitioner seeking following prayer:-

“(a) To direct the S.H.O. of P.S. Shahabad Dairy to produce the Corpus i.e. wife of the Petitioner;

(b) To direct the S.H.O. of P.S. Shahabad Dairy through D.C.P. of Outer-North to act promptly on the Complaint of the Petitioner i.e. Dy. No.1463 dated 28/02/2024.”

2. Issue notice. Learned Standing for the State accepts notice on behalf of the State. He has produced the status report dated 07.03.2024. The same is taken on record.

3. As per status report, during the course of investigation,



2024-DWC-1514-IB



Ms. Savina Khatun aged 24 years, D/o Md. Kamin had been traced out and her statement has been recorded in which she had stated that a few months back, she took divorce from her previous husband Md. Naushad (petitioner herein) with mutual consent on 16.12.2023 and also produced the divorce papers. She further claimed that she has now got married to one Md. Irshad as per prevalent rituals on 28.01.2024 and her such second marriage has been solemnized with her consent and without any pressure and fear.

4. Ms. Savina Khatun, d/o Md. Kamin is present in Court in person and reiterates that at present she is staying with Md. Irshad (her husband) from second marriage whom she got married at her own will without any pressure and fear. She further submits that she is happy with her married life and would like to continue to live with her husband (Md. Irshad).

5. Since Ms. Savina Khatun is an adult and wishes to stay with her husband Md. Irshad and has every right to take decisions of her own, no further order is required to be passed in the present petition.

6. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

MARCH 07, 2024/st

W.P.(CRL) 786/2024

Page 2 of 2