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

% *Date of decision: 10th April, 2024*

+ W.P.(CRL) 826/2024

SANTOSH KUMAR

..... Petitioner

Through: Mr. K S Choudhary, Advocate with
petitioner in person.

versus

THE STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya and Mr. Shivesh
Kaushik, Advocates with Insp.
Shailender, SI Deepak and SI Sonika.
Mr. Mukesh Singh, Advocate for
Mr. Ram Ashish Yadav, Advocate for
respondent No.4.

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 the petitioner seeking following
prayer:-

*“Issue a writ, order or direction in the nature of Habeas Corpus
directing the Respondent no. 1-3 to produce the Corpus Soni Kumari
from the wrongful confinement of Respondent no.4/Mukesh Yadav
before this Hon'ble Court to ensure safety and security of corpus Soni
Kumari.”*

2. The daughter of the petitioner who is present in Court states that her
date of birth is 16.07.2003 and she has already married to Phooldev Yadav
@ Mukesh Yadav with her own consent on 06.03.2024.



3. She also admits that she is aware about the manner in which her husband has taken divorce from his first wife and about legality of such divorce but claims that it does not matter or concern as such first wife has also already re-married.
4. The statement of daughter of petitioner under Section 164 Cr.P.C has already been recorded wherein also she has not made any allegation of any wrongful act against anyone.
5. Since daughter of the petitioner, who is present in Court, is, admittedly, major and has married as per her own wish and has stated before us that she wants to stay with her husband, therefore, no further order is required to be passed in the present petition. She is thus, at liberty, to go with her husband.
6. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

APRIL 10, 2024/sw