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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of decision: 02nd April, 2024**+ **W.P.(CRL) 1043/2024****JEETU DORWAL**

..... Petitioner

Through: Mr. S. Firoz, Mr. Salman and Mr. Ali
Khan, Advocates

versus

STATE GOVT OF NCT OF DELHI & ORS. RespondentsThrough: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Agarwal and
Mr. Shivesh Kaushik, Advocates
Insp. Shailendera Kumar, PS Okhla
Industrial Area 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. Present petition has been filed by the petitioner seeking following prayer:-

*“a. Issue a writ of Habeas Corpus or any other appropriate order or direction thereby direct the respondent no.1 to search/produce the wife of petitioner and to conduct raid in the house of the Respondent Nos.2 to 4 at their residence i.e. House No. S-15/256, Janta Jeevan Camp, Okhla Phase-2, Near Sherawali Mandir Okhla Industrial Estate, New Delhi -20; and
b. Direct the respondent No. 1 to provide protection to the petitioner and his wife in Delhi as the petitioner and his wife are living under the shadow of fear of death.”*

2. Issue notice. Learned Standing Counsel for the State accepts



notice on behalf of the State and has produced the status report dated 02.04.2024. The same is taken on record.

3. As per status report, on 09.03.2024, petitioner had lodged a written complaint at Police Station Okhla Industrial Area stating that he had married to one Ms. Mahima, aged 19 years, daughter of Sh. Hemant (petitioner herein), residing at S-15/256 JJR Camp, Okhla Phase-II, New Delhi at Arya Samaj Mandir, Saket, New Delhi on 09.02.2024. It is claimed that his wife Ms. Mahima has been beaten by her parents and maternal uncle Suraj on 07.03.2024 and thereafter they took her away and when asked about Mahima's whereabouts, they threatened to kill him and also his wife Mahima.

4. Ms. Mahima, wife of the petitioner is present in Court in person. We have interacted with her in open Court and in chamber as well. She submits that she got married to the petitioner on 09.03.2024. She further states she has been illegally detained by her parents and now she wants to go back to her husband, who is also present in Court.

5. Since Ms. Mahima, wife of the petitioner, who is present in Court, is, admittedly, major and has married petitioner as per her own wish and has reiterated before us that she wants to stay with her husband (petitioner herein), therefore, no further order is required in the present petition. She is thus, at liberty, to go with her husband.

6. It is, however, made clear that the parents/relatives of the petitioner and his wife shall not indulge in any act resulting in any untoward incident and shall not create any hindrance in their



matrimonial life.

7. Insp. Shailendera Kumar, and SI Akash, who are present in Court from Police Station Okhla Industrial Area, shall ensure that no untoward incident happens to the petitioner and his wife and if required, security may also be provided to them.

8. Father of the petitioner's wife is present in Court and submits that a complaint has been filed by the petitioner against the brother of his wife and he be asked to withdraw the same. Petitioner, who is also present in Court, assures that he would withdraw his such complaint. He would be at liberty to do the same. However, the relatives of wife of petitioner would not extend any such threat in future.

9. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

APRIL 2, 2024
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