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

+ W.P.(CRL) 1273/2024 & CRL.M.A.12361/2024

SHASHI RANJAN

..... Petitioner

Through: Mr. Babul Kumar, Advocate through
vc

versus

STATE OF (GNCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal, Mr.
Abhinav Arya, Mr. Shivesh Kaushik,
Advocates for State with SI Tilak Raj

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

25.04.2024

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1. The present writ petition has been preferred by the petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking issuance of a writ in the nature of habeas corpus to produce Ms. Asmita Kumari, who is wife of the petitioner.

2. Petitioner is aggrieved by the fact that on 05.04.2024, while he was in office, his sister informed him that father of his wife came to his house and forcefully took his wife with him. Thereafter, approached the police but the police refused to register any complaint. Hence, the present petition has been filed.

3. Petitioner claims to be husband of Ms. Asmita Kumari, who is, presently, admittedly staying with her father. Petitioner claims that he married to the above-named girl but even the learned counsel for the



petitioner, who appeared through video conferencing, admitted that there was no proof showing the marriage to be lawful. There is no registration of such marriage anywhere, either.

4. The girl in question is staying with her father which can't be said to be amounting to any kind of illegal detention. Moreover, the petitioner has no *locus standi* to seek her production as there is no proof of any lawful marriage between them.

5. In view of above, the present petition is dismissed being not maintainable.

6. Pending application also stands disposed of.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

APRIL 25, 2024/rk