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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(CRL) 1433/2024**  
**MANISH** ..... Petitioner

Through: Mr. Ravi Mehta, Mr. Ram Kumar  
Sharma and Mr. Naresh D., Advocates  
versus

**STATE GOVT OF NCT OF DELHI & ORS.** .... Respondents

Through: Mr. Sanjay Lao, Standing Counsel  
(Crl.) with Ms. Priyam Agarwal, Mr.  
Abhinav Krumar Arya, Mr. Shivesh  
Kaushik, Advocates and SI Shiv Dayal  
Kumar, PS Harsh Vihar.

**CORAM:**  
**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

% **ORDER**  
**07.05.2024**

**Crl.M.A. 13951/2024 (for exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**W.P.(CRL) 1433/2024**

3. 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 directing the respondent No.1 to take action against respondent Nos.3 and 4 and produce respondent No.2 before the Court.
4. The petitioner is aggrieved by the fact that on 22.03.2024, he married to



respondent No.2 at Arya Samaj Vedic Mandal, Vishwas Nagar, Shahdara, Delhi as per Hindu vedic rights and customs on their own free will and a certificate of marriage dated 22.03.2024 was issued to them by the above-mentioned organisation. Respondent No.3 is father of respondent No.2 and respondent No.4 is brother of respondent No.2. Thereafter, the petitioner and respondent No.2 intimated SHO Police Station Dadri qua their marriage by submitting that they married each other without any kind of pressure, force, threat or coercion, however, the said marriage is against the will of their parents. After the marriage, respondent No.2 returned to her parental house assuring the petitioner that she would try to convince her parents. Thereafter, petitioner came to know that his wife (respondent No.2) has been illegally confined by her father and brother (respondent Nos.3 and 4, respectively) and they are forcefully trying to perform her marriage with some other person. On 02.04.2024, petitioner went to the house of respondent No.2, however, he was not allowed to meet his wife. Subsequently, the petitioner made a complaint dated 04.04.2024 to the SHO, Police Station Harsh Vihar seeking legal action against respondent Nos.3 & 4, however, till date no action has been taken.

5. Notice issued.

6. Mr. Sanjay Lao, learned Standing Counsel accepts notice and has produced respondent No.2 in Court.

7. We have interacted with the petitioner and respondent No.2 in Court as well as in chamber. Respondent No.2, who is 20 years old, submits that she does not want to stay with her husband (petitioner) and she would like to stay with her parents.

8. Since respondent No.2 is major and has right to take her own independent decision, therefore, no further order is required to be passed.



9. With the aforesaid direction, the present petition stands disposed of.

**SURESH KUMAR KAIT, J**

**MANOJ JAIN, J**

**MAY 7, 2024/rk**