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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of decision: 20th May, 2024**
+ **W.P.(CRL) 1611/2024**

INDRAKALI VERMA Petitioner
Through: Petitioner in person.

versus
STATE OF NCT OF DELHI Respondent
Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Agarwal and Mr.
Shivesh Kaushik, Advocates with
Insp. Rajpal.

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE MANOJ JAIN
JUDGMENT (oral)

1. The present petition filed by petitioner seeking following prayer:

“For an Appropriate writ, order or direction, issuing a writ of habeas corpus directing Respondents to forthwith produce the son namely Vikas aged 40, Rachna (daughter-in-law) aged 37 years, XXX (Grandson) aged 16 years, and YYY (Grandson) aged 12 years before this Hon'ble Court forthwith for setting them at liberty”

2. We have interacted with the son of petitioner via video conferencing who states that he is staying with his wife and his two minor children and is not under any illegal detention. He also states that his mother i.e. petitioner is always welcome to meet him at his native place.

3. It is not in dispute that for the same cause of action, the petitioner had already filed W.P. (Crl) No. 2359/21 which was withdrawn vide order dated 30.11.2021. It is also not in dispute that the petitioner had sought liberty from this Court to prosecute the respondents in a criminal Court. The petitioner is already pursuing the same as she had filed an application under



Section 156(3) Cr.P.C which was eventually dismissed vide order dated 08.12.2022 and the petitioner has been given liberty to adduce evidence under Section 200 Cr.P.C.

4. When asked, petitioner stated before us that she does not want to go to native place of her son, where he is residing at the moment. She rather wants all of them to come to Delhi to meet her.

5. In view of the above and also because the son of the petitioner and his family members are voluntarily residing away from petitioner and are not under any illegal detention, no further order is required to be passed in the present petition.

6. The petition stands disposed of, accordingly.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

MAY 20, 2024/sw