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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1639/2024

SAKILA

.....Petitioner

Through: Mr. Dinesh Malik, Adv. (DHCLSC)
With petitioner in person.

versus

**STATE THROUGH SHO PS KANJHAWALA
DELHI & ANR.**

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Aggarwal, Adv. for
State.
Insp. Pawan Kumar & SI Chena Ram,
P.S. Kanjhawala.
Mr. Rahul Garg, Adv. for Mr. Manoj
Khatri, Adv. alongwith Boy and Girl.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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10.07.2024

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed on behalf of the Petitioner-Ms. Sakila under Article 226 of the Constitution of India seeking issuance of a writ of *habeas corpus*, for production of her daughter in Court who is stated to be missing since 10th February, 2024.
3. Vide order dated 22nd May, 2024, this Court issued notice in the present petition, and directed the Respondent/State to file a status report in the present petition.
4. On 9th July, 2024 a status report was placed, as per which, the daughter of the Petitioner was reported to be staying with one Mr. Amit, who is the son of Mr. Bajrangi. The daughter of the Petitioner as also Mr. Amit claim to have solemnized their marriage on 14th February, 2024 and wish to live together.



In view of this position, it was directed that the girl as also Mr. Amit be present in Court on the next date of hearing. The relevant portion of the order dated 9th July, 2024 is extracted hereunder:

“3. Today, the status report dated 9th July, 2024 has been filed. As per the said status report, the daughter of the Petitioner i.e., ‘A’ is stated to have voluntarily approached Police Station Kanjhawala, Delhi on 5th July, 2024. She stated that she is staying with one Mr. Amit, son of Mr. Bajrangi. Both Amit and ‘A’ claim to have solemnized their marriage on 14th February, 2024 at ‘Arya Samaj Mandir Vivah Trust’. According to the said status report, both Amit and ‘A’ wish to live together.

4. Let the boy i.e., Mr. Amit and the girl i.e. ‘A’ be produced before the Court tomorrow i.e., 10th July, 2024. Let the Petitioner be also present before the Court.”

5. In terms of the directions given on 9th July, 2024, Mr. Amit S/o Bajrangi Gupta and the daughter of the Petitioner are present in Court. The father of the girl is also present.

6. The Court has interacted with all three of them.

7. From the interaction, it is clear that the daughter of the Petitioner and Mr. Amit wish to stay married to each other and that the daughter of the Petitioner is not inclined to go back to her parents.

8. Mr. Amit has spoken to his father-Mr. Bajrangi Gupta and the Bench has also interacted with Mr. Bajrangi on a video call. During the interaction, Mr. Bajrangi has categorically stated that he and his family approve the marriage between the Petitioner’s daughter and his son and that he would encourage the girl to pursue her education. He further states that he has no objection if the couple resides with them in their house in Kanjhawala, where



the family of the boy is currently residing.

9. The Bench has also had an interaction with Mr. Mohd. Yasir, the girl's father. Mr. Mohd Yasir states that he has three sons and two daughters and that his only apprehension was for his girl, Ms. 'A' to be safe and secure. After having met the couple, he submits that he approves of his girl, i.e., Ms. 'A's wish to be married to Mr. Amit. Mr. Mohd. Yasir has assured the Court that neither he nor of his family members including his sons would create any impediments in their married life or threaten Mr. Amit or his family members. The assurance given is accepted by the Court.

10. Mr. Amit and the daughter of the Petitioner are currently living somewhere in Noida and due to the statements made today, they are free to move to the boy, i.e., Mr. Amit Gupta's parents house.

11. Keeping in mind the safety and security of the couple and their family, the SHO, P.S. Kanjhawala shall, for the next one week, check upon them on a daily basis and thereafter periodically inquire about them.

12. The telephone numbers of the concerned SHO and beat constable be provided to the boy and girl, so that if any need arises, they can contact them.

13. The petition is disposed of.

14. Pending application(s), if any, also stands disposed of.

PRATHIBA M. SINGH, J

AMIT SHARMA, J

JULY 10, 2024/nk/rks/PC