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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2031/2024

JAI KISHAN SHARMA

.....Petitioner

Through: Mr. Aditya Vikram and Mr. Ayushman Sharma, Advocates alongwith petitioner in person. (M: 9873846199)

versus

STATE (NCT OF DELHI) & ANR

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) for State with Ms. Priyam Agarwal and Mr. Abhinav Kumar Arya, Advocates.
Insp. Vinod Kumar, P.S. M.S. Park.
Respondent no. 2 in person alongwith girl.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **09.07.2024**

1. This hearing has been done through hybrid mode.

CRL.M.A. 19770/2024 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

W.P.(CRL) 2031/2024

3. The present writ of Habeas Corpus has been filed under Article 226 of the Constitution of India read with Section 528 BNSS, 2023 by the Uncle (*Tau Ji*) of the girl, who is her guardian, seeking production of the girl.
4. The boy - Mr. Sudhanshu Rana and the girl- Ms. Renu Bhardwaj, are present before the Court today.
5. The Court has interacted with them in Chamber. According to the version given by the couple, they married on 28th May, 2024. The girl claims



that her date of birth is 1st January, 2006 and she has produced a copy of the marksheet issued by the Board of School Education, Haryana, secondary examination as also her Aadhar card, which was issued on 29th November, 2013. Both the said documents record her date of birth as 1st January, 2006.

6. On the other hand, the Petitioner, who has appeared in Court, has met his niece in Chamber, and asserts that the date of birth of the girl is 24th June, 2007. But the said documents were issued on a recent date i.e., sometime in May 2024.

7. There is also an FIR registered in Gurugram, which is pending investigation, wherein the bail of the boy's brother has been rejected *vide* order dated 27th June, 2024.

8. After some hearing, learned Counsel for the Petitioner, under instructions, submits that the Petitioner wishes to withdraw the present writ petition at this stage.

9. The petition is dismissed as withdrawn and disposed of accordingly.

10. Remedies of all parties in accordance with law are left open.

11. It is directed that the Petitioner shall not cause any harassment to the girl or the boy or any of the boy's relatives.

12. It is made clear that this order shall not cause any impediment in the investigation in the FIR- 66/24, under Section 346, 363, 366A, 120B of the IPC registered at PS Sohna, Gurugram, which is pending investigation.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

JULY 9, 2024/bsr/NS/bh