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

+ **W.P.(CRL) 2948/2024 & CRL.M.A. 28826/2024**

NATASHA AND ANR.

.....Petitioners

Through: Mr. Mahesh Chand, Adv. with
Petitioners in person.

versus

GOVT OF NCT STATE DELHI AND ORS.

.....Respondents

Through: Ms. Priyam Agarwal and Mr. Abhinav
Kumar Arya, Advs. for Ms. Sanjay
Lao, Standing Counsel (Crl.) for State
with Insp. Rajeev Gautam and SI
Vivek RaPS Mayur Vihar.
Ms. Domi and Respondent No.2 in
person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **24.09.2024**

1. This hearing has been done through hybrid mode.

CRL.M.A.28826/2024 (for exemption)

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

W.P.(CRL) 2948/2024

3. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has been filed by the daughter and grand-daughter of Ms. Domi seeking issuance of a writ in the nature of *habeas corpus* for production of Ms. Domi.

4. The allegation in the petition is that she is in illegal detention of Respondent Nos. 2, 3 and 4. The case of the Petitioners is that there was a property owned by Ms. Domi, which was sold to one Mr. Bansal and it is in



this regard that she was being kept under illegal detention. A FIR was filed by the Petitioners on 11th September, 2024. Thereafter, the present petition has been filed.

5. A status report dated 24th September, 2024 has been also handed over in the Court under the signatures of SHO PS Mayur Vihar by Respondent No.1, wherein it is recorded that Ms. Domi had appeared before the police station yesterday and all the parties were satisfied with her condition. The said status report is taken on record and the relevant portion of the same has been reproduced as under: -

“2. That during investigation it came to notice that Smt. Domi, along with her grandson Manish, has been residing at House No. 29/493, Trilokpuri, Delhi. She categorically stated that she has been residing with her grandson Manish out of her own free will and consent. She further confirmed that she is not being restrained from moving freely or going anywhere. Additionally, she mentioned that she had resided with her granddaughter from March 2024 to July 2024, and there has been no restriction imposed on her in terms of meeting anyone. The Statement of Smt. Domi is enclosed herewith as “Annexure-A”

3. That further the alleged Manish and the petitioner Natasha were examined respectively, their statements as well as their independent witnesses were recorded.”

6. Statements of Ms. Natasha and Ms. Renu were also recorded by the police and said statements have also been annexed with the status report.

7. Today, Ms. Domi, has appeared before this Court along with her grandson Mr. Manish, Respondent No.2. Both the Petitioners are also present



in Court. They state that they had met Ms. Domi yesterday in the Police Station Mayur Vihar.

8. This Court has also enquired with Ms. Domi if she is under any duress or difficulty. She has categorically stated that she is quite comfortable in her grandson's house. She further states that she would continue to live with Mr. Manish, her grandson. Further, Mr. Manish, who is present in Court, states that he has no objection or difficulty if the Petitioners or any other relatives come to meet Ms. Domi.

9. Recording the above statements and accepting the undertakings, the present petition is disposed of and no further orders are called for.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

SEPTEMBER 24, 2024/dk/Am