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

+ **W.P.(CRL) 3092/2024 & CRL.M.A. 29923/2024**

SMT LOVEPREET KAURPetitioner

Through: Mr. R. Luthra, Adv.

versus

STATE OF NCT OF DELHI & ORS.Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal,
Adv. for State.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **04.10.2024**

1. This hearing has been done through hybrid mode.
2. This is a petition filed by the Petitioner under Article 226 of the Constitution of India read with Section 528 of BNSS seeking issuance of writ in the nature of *habeas corpus* for production of her husband.
3. It is the case of the Petitioner that she is the wife of Shri Sawatantabir Singh, who is the son of Respondent No. 4, and that their marriage was solemnized on 25th January, 2020. It is stated that her husband was last in touch with the Petitioner on 3rd March, 2020 before he left for New Zealand. On 2nd August, 2020, the Petitioner is stated to have left her matrimonial home and thereafter, on 27th August, 2021 she filed the petition under Section 125 of the CrPC seeking maintenance before the Saket District Court, Delhi.
4. It is stated that the husband of the Petitioner has not been in touch with her at all since 2nd August, 2020, and thus the prayer is for his production through his father, who is Respondent No. 4.



5. In the opinion of this Court, the Respondent No. 4's son who is stated to be married to the Petitioner left for New Zealand way back in 2020 and there is no allegation by the Petitioner that Mr. Sawatantabir Singh is currently in India or in the territorial jurisdiction of this Court.
6. Under such circumstances the present writ petition cannot be entertained.
7. The present writ petition is dismissed.
8. Pending application(s), if any, also stands disposed of.

PRATHIBA M. SINGH, J

AMIT SHARMA, J

OCTOBER 04, 2024/kr/ms/Pc