



\$~14

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

+ **W.P.(CRL) 3142/2024**

PIYUSH THAKUR

.....Petitioner

Through: Mr. Praveen Sharma, Ms. Shivani
Tomar & Ms. Chandni, Advs. with
Petitioner and his parents in person.
(M: 9643822940)

versus

THE STATE

(GOVT. OF NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Arya, Advs., with SI
Sachin PS Jagat Puri.
Mr. Javed Ahmad, Adv. with Ms.
Shaheen Parveen, her brother and
sister in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **16.10.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner-Mr. Piyush Thakur under Article 226 of the Constitution of India read with Section 528 of BNSS seeking a writ in the nature of *habeas corpus* for production of Ms. Shaheen Parveen, who is stated to be his wife.
3. It is the case of the Petitioner that he got married to Ms. Parveen on 20th October, 2023 at Shri Shayama Shyam Sharnam Dharmarth Trust, Vishwas Nagar, Delhi. According to the Petitioner, his wife has claimed to have been forcibly detained by her family members *i.e.* her mother, brother and sister.



4. The status report dated 7th October, 2024 was presented on the last date of hearing *i.e.* on 8th October, 2024 wherein the Court was informed that a writ petition being ***W.P.(CRL) 2828/2024*** has been filed on behalf of Ms. Shaheen Parveen, wherein she had sought protection against threats by the Petitioner.

5. On 8th October, 2024, Ms. Parveen had appeared along with her younger sister. The Petitioner was also present. The Court had interacted with them. Both the parties had not disputed the fact that they had a marriage ceremony in Arya Samaj Mandir, Vishwas Nagar on 20th October, 2023. To ascertain whether Ms. Parveen is under duress from her family as also to ascertain, the Court had directed the Petitioner's parents and Ms. Parveen's family members *i.e.* her mother and brother to remain present in Court on the next date of hearing.

6. Today, Ms. Parveen is present in Court along with her brother and sister. The Petitioner and his parents are also present. The Court has had an in chamber interaction with the parties present.

7. During the chamber interaction, both the Petitioner and Ms. Parveen consent that they do not wish to proceed further in their relationship and that the marriage ceremony, which may have been solemnized earlier, was a mistake. The family members of both, Ms. Parveen and the Petitioner also do not wish to proceed further in any manner with the relationship between the Petitioner and the girl.

8. Considering the fact that no registration of the marriage had taken place under the Special Marriage Act, and only notice was issued under Section 5 of the Special Marriage Act, both the parties agree that they would seek nullification of the marriage as recorded in the marriage certificate dated 20th



October, 2023 and the conversion certificate dated 19th October 2023, in accordance with law.

9. The Court also directs that neither the Petitioner Mr. Piyush Thakur nor Ms. Parveen shall misuse any of the electronic data, including photographs, videos, recorded conversations or telephone calls, relating to both of them and shall destroy the same. In addition, neither the parties or their family members shall level any threats or allegations against each other.

10. The Petitioner and Ms. Parveen are free to jointly approach the concerned Court for declaration of the marriage certificate dated 20th October, 2023 as null and void.

11. In view of the above, no further orders are called for in this petition and the same is disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

OCTOBER 16, 2024/dk/rks