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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 3392/2024

SMT. INDRAKALI VERMA AND ANRPetitioners

Through: Petitioner in Person.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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28.10.2024

1. This hearing has been done through hybrid mode.
2. This is the fourth round in which the Petitioner-mother is again seeking production of her son and his family. In the earlier petitions, the Court has interacted with the son and his family. It has been clearly recorded in order dated 8th July, 2024 in **W.P. (Crl) 2001/2024** as under:

- “1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Ms. Indrakali Verma under Article 226 of the Constitution of India seeking issuance of a writ of habeas corpus to produce before the Court, her son-Mr. Vikas Verma, his wife and their two children.
3. The Petitioner is stated to be the wife of late Mr. Kaushal Kishore and is a resident of H. No. B 1/7, Back Side, Top Floor, Gali No. 5, Bharat Vihar, RajaPuri Road, Uttam Nagar, Delhi-110059.
4. It is the case of the Petitioner that her son, his wife and their two children are illegally detained and are held as captives against their will in Madhya Pradesh.



Further, she is not able to contact her son and his family. Hence, the present petition.

5. **This is the third round of petitions which have been filed by the Petitioner. In the earlier rounds, this Court had rejected the petition on the ground that the son of the Petitioner is voluntarily residing in Madhya Pradesh.** The orders of the Court to this effect, dated 20th May, 2024 and 30th November, 2021 in W.P. (CRL) 1611/2024 and W.P. (CRL) 2359/2021 respectively have also been placed on record.

6. **Today, when the matter was heard, this Court has interacted with the son of the Petitioner through a video call on Whatsapp,** which was done with the help of the Investigating Officer (IO) who had the telephone number of the Petitioner's son. At the time of interaction, Mr. Vikas Verma was present in his residence along with his wife-Ms. Rachna Verma and the second son-Mr. Prince Verma who is studying in the 7th standard. The Court interacted with Ms. Rachna Verma and Mr. Prince Verma. Mr. Prince Verma has informed the Court that he is currently studying in [Vidya Bhumi Public School](#). Mr. Prince Verma has further stated that his brother-Mr. Rohan Verma, is currently studying in the 10th standard and is currently in school.

7. During the said interaction, Mr. Vikas Verma has informed this Court that he has met his mother in Bhopal when certain documents pertaining to the demise of the father were signed by the mother. He also stated that his father was working with the Mandi Board.

8. **In order to completely remove any doubt as to the son's living condition in Madhya Pradesh as also to verify his safety, the Court directed Mr. Vikas Verma to approach the local police station of his area where he is residing and to speak to the police officials there. Mr. Vikas Verma was further directed to inform the concerned police official therein to arrange a call from the police station.**

9. **After the matter was passed over, the Petitioner's**



son and the daughter-in-law both reached the police station in Betul, Madhya Pradesh from where, they along with the concerned police official had joined the proceedings of this Court through video call on Whatsapp.

10. This Court has interacted with the concerned Officer of the said Police Station via a video call on Whatsapp. The Officer concerned i.e., Head Constable, Rachna Rajpoot, has informed the Court that she and the ASI of the police station, had a conversation with Mr. Vikas Verma and his wife. They have informed the said police official that they are living in Madhya Pradesh out of their own will and volition and have not been held back against their will. She has also informed that Mr. Verma's father has land there and Mr. Verma is working in a local Mill.

11 From the facts that have been gleaned as recorded hereinabove, it is re-affirmed that the son of the Petitioner-Mr. Vikas Verma along with his family members is voluntarily residing in Madhya Pradesh. If the Petitioner wishes to visit her son in Madhya Pradesh, he has no objection and she is free to do so.

12. No further investigation or inquiry would be required in the present petition.

13. The petition is disposed of. All pending applications are also disposed of accordingly.”

3. It is clear from the above that the son and his wife are living in Madhya Pradesh on their own free will. The Court had interacted with them. Even today, Mr. Lao, Id. Counsel submits that he is available telephonically and he states that he is willingly living in Madhya Pradesh. In view of this, the present writ petition would not be liable to be entertained. It is made clear that if the Petitioners wish to avail of their remedies or meet the son and his family in Madhya Pradesh they are free to do so.



4. The petition is disposed of. All pending applications are also disposed of accordingly.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

OCTOBER 28, 2024
dj/Am