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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 3848/2024 & CRL.M.A. 37004/2024

VIKAS ALIAS VICKY

.....Petitioner

Through: Mr. Jujhar Singh, Mr. Bhushan Arora,
Mr. Shreyas Malik, Mr. Siddharth
Kumar, Advs. with Petitioner in
person. (M: 9711968186)

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Advs.
with Insp. Ravinder Dagar, SI Ranjana
and HC Pramod Bansal PS Subzi
Mandi.
Mr. Rajesh Kaushik, Adv. for R-2 to 4.
(M:9810433853)
Girl in person with her parents.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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16.12.2024

1. This hearing has been done through hybrid mode.

CRL.M.A.37004/2024 (for exemption)

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

W.P.(CRL) 3848/2024

3. The present petition has been filed by the Petitioner-Vikas alias Vicky
under Article 226 of the Constitution of India read with Section 528 of the



Bharatiya Nagarika Suraksha Sanhita, 2023 seeking a writ in the nature of *habeas corpus* for production of his wife Ms. 'RJ'.

4. According to the Petitioner, he was married to Ms. 'RJ' on 6th September, 2024 at the Arya Samaj Mandir, Rohini Sector-7, Delhi. However, the parents of Ms. RJ, upon being dissatisfied with the marriage, filed a missing complaint at P.S., Sabzi Mandi alleging that the missing girl was not traceable. On 9th September, 2024, the Petitioner and the girl had appeared before the Police Station and confirmed that their marriage was consensual. The father of the girl was also present at that time.

5. It is further alleged by the Petitioner that on 21st October, 2024 the parents of Ms. RJ, persuaded the Petitioner and took her away on the pretext that family rituals etc., have to be performed. However, post 24th October, 2024 the phone number of the Petitioner's wife was not traceable and the Petitioner was unable to contact her. Hence, the present petition.

6. Today, the girl and her parents have appeared before the Court. The Petitioner has also appeared before the Court. The Court had an in-chamber interaction with the girl separately and, thereafter, with both the girl and the Petitioner as well as the parents of the girl. Upon interaction, the girl has clearly and categorically stated she and the Petitioner had got married on 6th September, 2024. However, she no longer wishes to live with the Petitioner or continue their marriage. She further submits that she would like to accompany her parents. The age of the girl is 24 years.

7. In view of the wishes expressed by the girl, she is permitted to accompany her parents. It is made clear that no threats shall be given by the girl's family to the Petitioner.



8. No further orders are called for. The petition is disposed of in the above terms.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

DECEMBER 16, 2024/dk/Am/sc