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

+ **W.P.(CRL) 151/2025**

SAMEER

.....Petitioner

Through: Petitioner in person.
versus

THE STATE OF NCT DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Mr. Abhinav Kumar Arya,
Adv. with Insp. Naveen Rathi PS
Mandawali.
Wife has joined through VC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **27.01.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner-Sameer under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *habeas corpus* for the production of his wife, who according to him, has been detained by her family members *i.e.*, Respondent Nos. 2 to 7 since 7th December, 2024.
3. It is stated that the Petitioner and his missing wife were married on 5th February, 2023 and thereafter Master 'A' was born out of the said wedlock on 13th December, 2023.
4. The concern of the Petitioner is also that the infant baby, Master 'A' is with the Petitioner who is just over one year old and therefore the Petitioner is concerned about the fact that the wife has not been allowed to join back the

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matrimonial home.

5. On the last date of hearing *i.e.*, on 17th January, 2025 the Court had been informed that the wife was contacted by the Respondent-State. However, she was not willing to join the Petitioner. The Court had then directed the wife to be produced along with her parents on the next date of hearing.

6. Today, the wife has joined the proceedings virtually. She states that she is 8 months' pregnant. On query as to why she left the matrimonial home, she states that she left due to repeated physical abuse by the Petitioner. The wife further states that she is willing to join back the Petitioner if she is not physically abused by him.

7. A status report dated 26th January, 2025 has been handed over to the Court. The same is taken on record.

8. It is stated in the said status report that an FIR has been registered by the wife, being ***FIR No.180/2024*** under Sections 498A/354/323/504/ 506 IPC and under the Dowry Prohibition Act at the Police Station-Pisawa UP

9. Mr. Sanjay Lao, Id. Standing Counsel submits that a lady constable is now present in Aligarh, who is communicating with the wife.

10. The Petitioner, who is present in Court today, is also willing to take back the wife as he has a one year old child, who is presently with him. He is also willing to travel to Aligarh to sort out the matter with the wife and her family.

11. In view thereof, he may proceed to the parental home of the wife in Aligarh, UP to resolve the issues with the intervention of the SI from Delhi Police, who is also there, as also the local police. They are also free to avail of mediation services at the local Family Court, if required.



12. It is made clear that the Petitioner has been strictly warned not to, in any manner, engage himself in abusive behaviour with the wife. If the wife comes back to her matrimonial home, the concerned local SHO PS Mandawali shall arrange regular visits so as to enquire about the well-being of the wife.

13. The petition is disposed of in these terms. No further orders are called for.

PRATHIBA M. SINGH, J.

DHARMESH SHARMA, J.

JANUARY 27, 2025/dk/rks