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

+ **W.P.(CRL) 360/2025**

SURAJ

.....Petitioner

Through: Ms. Binisa Mohanty, Sagar Roy &
Prang Newmai, Advs. with Petitioner
in person. (M: 9999176557)

versus

STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Advs.
with SI Puja Saini PS Dwarka North.
The girl with her parents.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SAURABH BANERJEE

ORDER

% **24.02.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner-Suraj under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *habeas corpus* for production of his wife/ girl – Ms. S.K., with whom he is stated to have solemnized the marriage on 8th January, 2025.
3. According to the Petitioner, after marriage, the couple used to live in the matrimonial home at Sector 17, Dwarka, Delhi. However, on 8th January, 2025, since the parents of the girl arrived at the said matrimonial home and assured the parties that they would get them married as per proper customs, the girl accompanied her parents.
4. It is the case of the Petitioner that the girl is now illegally detained by



her parents and is not allowed to go back to her matrimonial home. As such, on 12th January, 2025 the Petitioner had made a PCR call, after which he was taken to P.S. Dwarka North along with the girl and her parents, when, however, she again was made to leave with her parents, against her wishes.

5. On the last date of hearing *i.e.*, 24th February, 2025 the Court was informed that the girl is living in her native village in Teh Bhaktiyar Pur, District Patna, Bihar. After hearing the parties, the Court had directed that the girl be produced along with her family members on the next date.

6. Today, the girl has been produced along with both her parents. The Court has had an in-chamber interaction with the girl as also her parents and the Petitioner.

7. Though, as per the Aadhar card, the date of birth of the girl is 1st January, 2005, however, as per her parents she is a 'minor'. Needless to say, no credible and contemporaneous document has been produced in support of the same.

8. The girl has informed the Court that the Petitioner is her neighbour in Delhi whom she had met a few years ago and developed a relationship with him. Both the girl and the boy are clear that they have got married as per their own free will and wishes. So much so, the girl has expressed her wish, including in front of her father, that she wishes to accompany her husband *i.e.*, the Petitioner - Mr. Suraj.

9. Since both of them are now legally married and consenting adults, there is no impediment in allowing the girl to accompany her husband as per the wishes expressed by her.

10. Under such circumstances, it is clarified that the parents of the girl shall not level any threats or indulge in any abusive conduct against the girl as also



the boy or his family. The concerned Investigating Officer shall share his as also mobile number of the Beat Constable with the girl and the boy, who will be free to call, any of them, if, as and when, any assistance is needed.

11. The petition is disposed of in above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SAURABH BANERJEE, J.

FEBRUARY 24, 2025/dk/ms