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

+ **W.P.(CRL) 397/2025**

RAJESH MATHUR

.....Petitioner

Through: Mr. Yuvraj Seth and Mr. Vikram Seth,
Advts. (M: 9999093759)

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Aggarwal, Adv. with
SI Arvind & SI Raghuraj, PS: Sangam
Vihar

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **04.02.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 3519/2025 (For Exemption)

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

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3. The present petition has been filed by Petitioner/father- Sh. Rajesh Mathur under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha Sanhita seeking issuance of writ in the nature of *habeas corpus* for the production of his daughter Ms. 'M'.

4. It is the case of the Petitioner and his family that the girl Ms. 'M' is studying in 12th Standard and she had left home on 24th January, 2025, for school and did not return. They then lodged a police complaint regarding the missing girl in PS Sangam Vihar under **GD No. 21A** dated 24th January, 2025.



Since Ms. 'M' was not traced, the present petition has been filed.

5. In the petition, it is averred that during the time when the girl was missing, the Petitioner came to know of a boy by the name Mr. 'T', who is a local resident and had also gone missing around the same time. The Petitioner suspected that Ms. 'M' may be accompanying him.

6. The Petitioner then contacted Mr. 'T' and he, in return, had sent certain photographs which depicted that the girl Ms. 'M' and the boy Mr. 'T' may have gotten married.

7. Ms. 'M' has been produced before the Court along with Mr. 'T'. The Court has had an in-chamber interaction with them. She states that she and Mr. 'T' had got married on 2nd January, 2025 itself. She states that her date of birth is 6th May, 2006 and that she is studying in class 12th in Aruna Asaf Ali School SKV, Sangam Vihar, Delhi, and is yet to give her exams. She submits that the marriage was not accepted by her family and hence she had left the house on 24th January, 2025.

8. Mr. 'T' states that his family has accepted the girl. He has five sisters, all of whom are married and that he is the only son. He assures the Court that he would take good care of Ms. 'M'.

9. The Petitioner/father was made to meet his daughter. The daughter Ms. 'M' has clearly expressed that she would like to accompany her husband Mr. 'T'.

10. The parties mutually assure that neither of the families shall indulge in any abusive or bad behaviour with each other.

11. On the Petitioner's Counsel raising concerns regarding the lack of Petitioner's knowledge about the whereabouts of Ms. 'M', the couple confirmed that they would be living in Sangam Vihar with Mr. T's parents.



In addition, it is directed that if the girl wishes to stay in touch with her family, the boy shall not stop the same.

12. Further Mr. 'T' also assured that he shall have no objection with Ms. 'M' wishing to pursue her education.

13. The Court is also informed during the in-chamber interaction that Ms. 'M' has filed a private complaint against the Petitioner in view of the threats levelled by him against Mr. 'T' and his family members. The Id. Counsel appearing for Ms. 'M' submits that on the basis of this order, he would withdraw the same. The girl has accordingly left with her husband Mr. T.

14. Under these circumstances, no further orders are called for in this petition.

15. The petition is accordingly disposed of. All pending applications (if any) are also disposed of.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

FEBRUARY 4, 2025/sp/Am