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

+ **W.P.(CRL) 571/2025**

AAISHA

.....Petitioner

Through: Mr. Dheeraj Kumar, Advocate.

versus

THE STATE OF NCT OF DELHI & ORS.

....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Advs.
With SI Anugrata, P.S. Welcome.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **11.03.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner - Ms. Aaisha under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *habeas corpus* seeking production of her husband - Mr. Sikander Ali.
3. The case of the Petitioner is that her husband is her maternal cousin (son of her '*Mausi*') and her *Nikah* was solemnized on 28th April, 2024. However, the husband's parents did not accept the marriage.
4. Thereafter, on 15th November, 2024, the husband left the matrimonial house and has not contacted the Petitioner till date. Hence, the present petition has been preferred by the Petitioner.
5. On the last date of hearing *i.e.*, 18th February, 2025 the missing



husband had been produced. The Court had interacted with the parties including the mother of the Petitioner and the father of the husband in the Chamber. Considering the circumstances of the case the Court had directed as under:

“6. Today, both the Petitioner and the husband have been produced before the Court. The mother of the Petitioner and the father of the husband are also present before the Court. The Court has had in-chamber interaction with them. During the interaction, the Petitioner has informed the Court that she is pregnant.

7. Considering the situation and the relationship between the parties, it is deemed appropriate to appoint a senior Mediator in this matter. Accordingly, Ms. Zubeda Begum, Id. Counsel is appointed as the Mediator, who would interact with both the parties as also their respective parents and try to arrive at an amicable resolution in this factual background.

8. Let the parties appear before the Id. Mediator today itself at 3:00 P.M. at the Delhi High Court Mediation and Conciliation Centre. The Id. Mediator may conduct further sessions with the parties, as required, before the next date of hearing.

9. Let the mediation report be filed before the next date of hearing.”

6. In terms of the previous order, the mediation report dated 27th February, 2025 has been filed by the Id. Mediator. As per the said report, meetings were held on 18th February, 2025 and 27th February, 2025. However, the parties could not arrive at any settlement.

7. Today, the Id. Counsel for the parties submit that the mediation has failed. It is also submitted that the husband – Mr. Sikander Ali has not agreed to take the Petitioner/wife back to the matrimonial home.



8. In view thereof, no further orders are called for in this matter.
9. The petition is disposed of. Parties are free to avail of their remedies in accordance with law.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MARCH 11, 2025/MR/msh