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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 728/2025 & CRL.M.A. 6711/2025**

SH. AAKASH

.....Petitioner

Through: Ms. Indu Bhushan Vimal, Mr.
Kushank Mittal, Mohd. Haroon &
Mr. Harjeet Haroon & Mr. Rajan,
Advs.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Kumar Arya, Advs. with
Insp. S.P. Samaria, PS Prem Nagar.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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03.03.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 6711/2025 (for exemption)

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

W.P.(CRL) 728/2025

3. The present petition has been filed by Petitioner-Aakash under Article 226 of the Constitution of India read with Section 528 of BharatiyaNagrik Suraksha Sanhita seeking issuance of a writ in the nature of *habeas corpus* for the production of his wife.

4. It is the case of the Petitioner that he had got married on 3rd January, 2025 at Arya Samaj Vedic Sanskar Trust at Tis Hazari. Thereafter, however, the family of the girl on the same day appears to have come to the residence of the Petitioner and taken her away. Thus the Petitioner has filed the



present petition.

5. Today, Mr. Sanjay Lao, Standing Counsel (Cr1.) submits that the girl is present in Court. In the first call, accordingly, the girl was permitted to speak to the Petitioner. After Passover, the girl has made it clear to the Petitioner that she does not wish to accompany him and that she wishes to reside with her family.

6. On a query from the Court, she submits clearly that though she had got married on 3rd January, 2025, she no longer wishes to be with the Petitioner and she wants to live with her family. She also submits that she has filed a petition for divorce in Ratia, Haryana.

7. The girl is 21 years old and is a major. In view of her clear stand before the Court, no orders can be passed in the present petition as the girl has expressed her wishes to Petitioner.

8. It is made clear that neither family members shall make any threats or allegations against each other. The girl's parents are also stated to be present in Court premises. Accordingly, the IO shall impress upon them they shall not make any threatening calls to the Petitioner.

9. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MARCH 3, 2025

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