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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 826/2025**

JITENDRA KUMAR

.....Petitioner

Through: Ms. Parmeshwari Dhayal, Mr. Dinesh
Chand Meena, Mr. Sourabh Rai, Mr.
Aman Dalal, Mr. Pradeep Dagar and
Mr. Aman Kumar, Advocates.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal and
Mr. Abhinav Kr. Arya, Advocates for
State alongwith Insp. Pankaj Tomar
and SI Ashok Kumar, PS-Timarpur.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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11.03.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 7709/2025 (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 the Petitioner- Mr. Jitendra Kumar under Article 226 of the Constitution of India read with Section 528 of BNSS, 2023 seeking a writ in the nature of *habeas corpus* for production of his wife- Ms 'P'.

4. According to the Petitioner his wife has been detained by her family in Agra, Uttar Pradesh. The case of the Petitioner is that he had got married to Ms. 'P' on 24th January, 2023 at Arya Samaj Mandir, Agra. The said marriage was also registered before the Marriage Registration Officer on 27th June,



2023. After the marriage, the wife continued to live with her parents but when she disclosed about the marriage to her family, certain hostility had developed amongst them. Meanwhile, the Petitioner had moved back to Delhi.

5. According to the Petitioner, on 24th December 2024, she contacted him and stated that she was in distress. On 8th February 2025, the stand of the Petitioner is that certain persons had arrived at his residence in Agra and issued life threats to the Petitioner, hence this petition seeking her production.

6. The Court has considered the matter. In fact, the Id. Standing Counsel, Criminal has made the Court speak to the wife through WhatsApp call. She has stated that she does not wish to go back to the husband.

7. Ld. Counsel for the Petitioner submits that his wife is under threat and duress of her family. This Court has considered the matter. Both the parties were residents of Agra when the marriage took place. Further, the marriage was solemnized as well as registered in Agra.

8. Accordingly, this Court does not have the territorial jurisdiction to entertain the present petition. At this stage, Id. Counsel for the Petitioner submits that he wishes to withdraw the present petition with liberty to approach the Court of competent jurisdiction.

9. The petition is accordingly dismissed as withdrawn with liberty, as aforesaid. The pending application(s), if any, also stands disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MARCH 11, 2025/nd/ck