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

+ **W.P.(CRL) 913/2025**

KAPIL

.....Petitioner

Through: **Mr. Manoj Kr. Sharma, Advocate.**
versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: **Mr. Sanjay Lao, Standing Counsel**
(Crl.) with Mr. Abhinav Kr. Arya and
Mr. Aryan Kr. Sachdeva, Advocates.
SI Komal, P.S.: Subhash Place.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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21.03.2025

CRL.M.A. 8627/2025

Exemption allowed subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 913/2025

1. The present writ petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier under Section 482 of the Code of Criminal Procedure, 1973) has been filed on behalf of the petitioner seeking the following reliefs :

“Under these circumstances, it is therefore, prayed to this Hon'ble Court may graciously be pleased to pass necessary direction/order in the nature of Habeas Corpus to the respondent no. 2 to produce the missing wife (Varsha), in the interest of justice.

Any other or further order which this Hon'ble court may deem fit and proper also passed in favor of the petitioner and against the respondent no.3 as facts and circumstances of the case.”



2. Learned counsel appearing on behalf of the petitioner submitted that on 17th March, 2025, the petitioner and one Ms. Varsha i.e., the missing person herein, got married to each other at Delhi and thereafter, visited the house of the petitioner's aunt (*Mausi*). In the evening of the said date, the police officials of Police Station – Subhash Place, Delhi raided the house of the petitioner's aunt and apprehended Ms. Varsha.
3. It is submitted that on 18th March, 2025, the petitioner sent a written complaint to the concerned SHO regarding his missing wife, Ms. Varsha. However, no information was given to him regarding the same. It is further submitted that the missing wife's father was against their marriage and has purposely informed the police to apprehend her.
4. Accordingly, the instant writ petition is filed by the petitioner seeking issuance of writ of *habeas corpus* for producing the missing wife.
5. Heard.
6. Issue Notice. Mr. Sanjay Lao, learned Standing Counsel (Crl.) for the State appearing on advance notice, accepted notice. At this juncture, learned Standing Counsel for the State handed over a copy of status report dated 21st March, 2025 and the same is taken on record.
7. It is submitted that the missing person herein i.e., Ms. Varsha is a minor and that she is present before this Court today.
8. Upon being queried, the minor girl has informed this Court that she is willing to live with her parents. The father of the minor girl is also present in Court and has been identified by the Investigating Officer.
9. It is observed that as per the status report, the date of birth of the missing person, Ms. Varsha, is 4th July, 2008, which indicates that she is 16 years of age and is a minor.



10. In view of the statement given by the minor girl in Court today, she is allowed to be handed-over to her parents.
11. At this juncture, learned counsel for the petitioner does not wish to press the instant petition.
12. Accordingly, the instant petition is disposed of as not pressed.
13. Pending applications, if any, also stand disposed of.

CHANDRA DHARI SINGH, J

ANUP JAIRAM BHAMBHANI, J

MARCH 21, 2025

ds/mk

Click here to check corrigendum, if any