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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1916/2025

SHARDA RAIKWAR

.....Petitioner

Through: Mr. Mohit Kr. Auluck, Adv.

versus

THE COMMISSIONER OF POLICE AND ORSRespondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal, Mr.
Aryan Sachdeva & Mr. Abhinav
Kumar Arya, Adv. with Insp Raj
Kumar & ASC Prem Pal, PS Jagatpuri.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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18.06.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of *Habeas Corpus*. The Petitioner– Sharda Raikwar, in the present petition is seeking production of her daughter-in-law – Ms. K.
3. The case of the Petitioner is that her son– Mr. Deva Raikwar had got married to Ms. K on 5th May, 2025 and the wedding was solemnized at Sagar, Madhya Pradesh. A month after the solemnisation of marriage i.e. on 5th June, 2025, Ms. K had gone to her matrimonial home. However, one day later, i.e. on 6th June, 2025, she went away with her parents.
4. Various complaints were filed by the Petitioner thereafter. However, Ms. K was not produced. Hence, the present petition.



5. In the present petition, S.H.O. PS Jagat Puri has today filed a status report in which it is stated as under:

“3. That, on 13.6.25, father namely Vinod Rai (respondent No. 3) of Ms. Kajal along-with Ms. Kajal, came and produced her daughter in PS. On inquiry missing girl Kajal stated that she was in relationship with one boy namely Deva resident of Vill Satauwa, Distt Sagar, Madhya Pradesh and on 04.06.25 she with her own will went with Deva at Deva’s village. She further stated that she and Deva got married each other in a Temple on 05.06.25. She further stated that she got to know that Deva is not a good boy and she doesn’t want to live with him anymore and will take divorce from him and further stated that she wants to go with her parents on which she was handed over to her father on the same day after due formalities as she was above 18 (DOB 25.11.2005).

4. That, presently Ms.Kajal is residing with her parents and she has stated that she with her parents shall be present in Hon’ble High Court of Delhi on 18.06.25 at 10:00 AM.

However, undersigned is ready to abide by all the directions/orders passed by the Hon’ble Court.”

6. Ms. K has also been produced along with her father— Mr. Vinod Kumar. There is no doubt that Ms. K and Mr. Deva Raikwar had solemnized the marriage of their own free will, on 5th May, 2025. They knew each other for several years. The Court has interacted with Ms. K in the chamber in the presence of the father- Mr. Vinod Kumar and the Petitioner who is the mother-in-law of Ms. K. The Petitioner and the father of Ms. K, who are present before this Court today, have stated that the marriage had taken place without their knowledge and they were not present at the time of the marriage. This statement is taken on record.



7. Ms. K has categorically stated that she does not wish to continue the marriage with Mr. Deva Raikwar . She has also stated that she does not want to accompany her mother-in-law or live with the husband.
8. In view thereof, no further orders are called for in this petition.
9. Ms. K, being a 19 year old girl and a major, is free to accompany her father.
10. The parties are free to apply for dissolution of marriage in accordance with law.
11. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
(VACATION JUDGE)

RAJNEESH KUMAR GUPTA
(VACATION JUDGE)

JUNE18, 2025/Rahul/ss