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

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W.P.(CRL) 18/2025

ANITA

.....Petitioner

Through: Mr. Hinu Mahajan and Mr. Aditya
Sharma, Advs. (M: 9312606456)
along with Petitioner in person.

versus

THE STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Lao, SC with Ms. Priyam
Agarwal and Mr. Abhinav Kr. Arya,
Advs. with Insp. Ashwani and ASI
Abdesh, PS GTB Enclave (M:
9968548151) along with Respondent
No. 6 in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **10.02.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by Petitioner- Ms. Anita under Article 226 of the Constitution of India, read with Section 528 of Bharatiya Nagrik Suraksha Sanhita, seeking issuance of a writ in the nature of *habeas corpus* for the production of her daughter Ms. 'X'.
3. It is the case of the Petitioner that she suspects that Respondent No.6 in connivance with his relatives, has abducted her daughter Ms. 'X'. However, upon enquiring, the Respondent-State *vide* status report dated 8th January, 2025, had submitted that when they reached out to Respondent No.6, he had informed that he and Ms. 'X' had gotten married on their own will and are now in Bihar.



4. Considering these circumstances, and the said allegations levelled the Court on the previous date *i.e.*, 15th January, 2025, directed the police authorities, shall produce the girl Ms. 'X' and the Respondent No.6 on the next date of hearing.

5. Today, the couple has been produced. The parents of the girl are also present. The Court has had an in-chamber interaction with them, wherein the parents repeatedly state that they are willing to get the girl Ms. 'X' married to the same boy but in front of the relatives and elders.

6. However, Ms. 'X' is not willing to go back with the parents today, and wishes to go back to the native place of the boy in Bihar.

7. Considering the facts that Ms. 'X' is a major who is born on 22nd May 2006 and that she has clearly expressed her wishes, she is free to accompany the boy.

8. The parents of both the boy and the girl are free to talk to each other and arrange for fixing any ceremonies which they need. The girl and the boy say that they are willing to participate if the parents conduct any reception or host a dinner for the relatives and friends. The Investigating Officer shall assist the parents to talk to each other.

9. With these observations, the petition is disposed of. Any pending application shall also stand disposed of.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

FEBRUARY 10, 2025/gunn/Am