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

+ W.P.(CRL) 1449/2026

MOHD. MUKHTIYAR

.....Petitioner

Through: Mr. Raj Kumar, Advocate.

versus

THE STATE NCT OF DELHI AND ORSRespondent

Through: Mr.Sanjay Lao, St. Counsel
(Crl.) with Ms. Priyam
Agarwal, Mr.Aryan Sachdeva,
Mr.Abhinav Kumar Arya Advs.
and Insp. Uttam, SI Shubham
PS Khajuri Khas.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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05.05.2026

1. This petition has been filed under Article 226 of the Constitution of India, read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of a Writ in the nature of Habeas Corpus for production of Ms. Zainab, the wife of the petitioner, who is alleged to be illegally and forcibly detained by her parents against her wishes.

2. The learned Standing Counsel has filed a Status Report dated 05th May, 2026 which, *inter alia*, records that Ms. Zainab has stated that she is not being held captive by anyone. The statement of the father of Ms. Zainab has also been recorded, wherein he has stated



that he has no objection to Ms. Zainab staying with the petitioner, if she wishes to do so.

3. Ms. Zainab has also been produced before us in person. We have interacted with her. She states that she would like to stay with the petitioner.

4. As she is a major, she is entitled to do so.

5. At the same time, the learned counsel for the petitioner submits that there is still some threat perception from the family of Ms. Zainab.

6. Accordingly, we direct the SHO of the area where the Ms. Zainab and the petitioner are residing, to share his mobile number as also the mobile number of the Beat Constable(s) with the petitioner and Ms. Zainab. The petitioner and Ms. Zainab may contact any of them in case of any emergency. They must provide adequate security in case any such complaint is received from the petitioner or Ms. Zainab.

7. The Status Report is taken on record.

8. The petition stands disposed of in terms of the aforesaid directions.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

MAY 5, 2026/lks/sk/Yg