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

\# **CNR No. DLHC010507132026**

\+ W.P.(CRL) 3316/2026

MOHAMMAD TALIB .....Petitioner

Through: Ms.Ritika Jhurani, Mr.Dinesh Sharma, Mr.Abhishek Kandwal and Mr.Ishaan Ojha, Advs. along with the petitioner in person

versus

STATE NCT OF DELHI & ORS. .....Respondents

Through: Mr.Sanjay Lao, Sr. Adv. with Mr.Aman Usman, APP, Mr.Abhinav Kumar and Mr.Aryan Sachdeva, Advs. for R-1/State with SI Puran Singh and ASI/IO Raj Kumar, P.S. Dabri
Ms.Shahjahan in person

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 29.10.2026

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, seeking issuance of a Writ in the nature of Habeas Corpus, directing the respondents to produce Ms. Shahjahan, the wife of the petitioner.

2. On 16.10.2026, when the petition was listed before us for the

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first time, Mr.Sanjay Lao, the learned senior counsel for the respondent no.1 had made a submission that, on inquiry, Ms.Shahjahan revealed that she has left her matrimonial home on her own and, in fact, made allegations against the petitioner of assaulting her.

3. To satisfy ourselves that Ms. Shahjahan is not being detained against her wishes by her family members, we called upon the respondent no. 1 to make her join the proceedings, either physically or virtually today.

4. In compliance with the said directions, Ms. Shahjahan has appeared before us in person. She reiterates that she had left the matrimonial home of her own accord as she has been harassed and assaulted by the petitioner.

5. Without entering into the allegations and counter-allegations made by the petitioner and Ms. Shahjahan, as Ms. Shahjahan is not in illegal detention and had voluntarily left her matrimonial home, the present petition is disposed of, reserving the liberty to the parties to avail of their alternate remedies for resolution of their matrimonial disputes.

NAVIN CHAWLA, J

ARUN BHARDWAJ, J

OCTOBER 29, 2026/sg/as

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