

Subhash vs.state & Ors

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SooperKanoon Citation : sooperkanoon.com/1202152

Court : Delhi

Decided On : Dec-14-2016

Appellant : Subhash

Respondent : State & Ors

Judgement :

\$~98 * IN THE HIGH COURT OF DELHI AT NEW DELHI Judgment Dated:

14. h December, 2016 + W.P. (CRL.) 3522/2016 SUBHASH Through Mr.Sandeep Khatri, Advocate along

... Petitioner

with petitioner in person. versus STATE & ORS Through Mr.Rahul Mehra, Standing Counsel

... RESPONDENTS

with Mr.Tushar Sannu, Advocate for State/ respondent No.1 along with Insp. Jarnail Singh & SI Karamvir, PS Narela, in person. CORAM: HON'BLE MR. JUSTICE G.S.SISTANI HON'BLE MR. JUSTICE VINOD GOEL G.S.SISTANI, J (ORAL) 1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for issuance of writ/order/directions to the respondents in the nature of Habeas Corpus, thereby directing the respondents to produce the daughter of the petitioner, namely, Ms.Komal, who is missing since 30.09.2016.

2. As per the petition, on 30.09.2016 at about 8.00 a.m. the daughter of the petitioner, Ms.Komal, aged about 19 years, went to attend her class at Lakshya College, Narela. She was supposed to return back by 11.00 a.m. but she did not come back. Upon inquiry from the college, the petitioner was informed that she did not come to attend her classes on that day. The petitioner as well as his family members and relatives tried to search Komal but in vain. On the same day in the evening, the W.P. (Crl.) No.3522/2016 Page 1 of 2 petitioner was informed that her daughter has married one Amit son of Satpal, respondent No.5.

3.

... RESPONDENTS

No.6 & 7 are the parents of respondent No.5. Further, respondents No.8 & 9 are the witnesses to the alleged marriage of the daughter of the petitioner and respondent No.5. The apprehension of the petitioner is that the respondents No.5 to 9 are either illegally confining the daughter of the petitioner or might have done something wrong with her. Thus, by way of present petition, the petitioner has sought directions to the respondents to produce his daughter, namely, Ms.Komal before this Court from their illegal confinement.

4. On the previous date, Komal was produced in the Court and she submitted that she has voluntarily married respondent No.5. She had met her father on that day. The parties were directed to remain present before this Court today as well.

5. Today, Komal has met her mother. Komal submits that she does not want to meet her parents. Although the parents submit that they have accepted the marriage, but keeping in view the attitude of Komal, they wish to cut all social ties with her. However, both the parties undertake not to interfere in the day-to-day life of each other. The husband of Komal is present in Court; he submits that he would remain responsible for her well-being. In view of the above, the present petition is disposed of as prayed.

6. G.S.SISTANI, J.

DECEMBER14 2016/ka VINOD GOEL, J.

