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

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**W.P.(CRL) 3630/2017**

**MOHAMMADI BEGUM**

..... Petitioner

Through: Mr Ravinder Narayan and Mr Mohd.  
Zafar, Advocates

versus

**STATE OF N.C.T OF DELHI & ORS**

..... Respondents

Through: Ms Kamna Vohra, ASC for State with  
Inspector Surender Singh PS H.N. Din  
Mr S. Janani, Advocate for Respondents

**CORAM:**

**JUSTICE S.MURALIDHAR**

**JUSTICE C.HARI SHANKAR**

**ORDER**

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**29.12.2017**

1. This petition is in the nature of *habeas corpus* praying for directions to the Respondents to produce the son of the Petitioner who is alleged to be in "captivity" of his wife, Respondent No.5.

2. The fact that her son is lawfully wedded to Respondent No.5 for more than three years and is living with his wife is not denied by the Petitioner. Her grievance appears to be that she is not being 'allowed' to meet him. The Court is unable to appreciate how a *habeas corpus* petition is maintainable in these circumstances. A purely domestic matter is sought to be wrongly

given the colour of alleged illegal detention to justify the remedy of *habeas corpus*. Clearly, the Petitioner is acting under wrong legal advice.

3. The petition is totally misconceived and dismissed as such. This will not preclude the Petitioner from seeking other modes of redress available to her in accordance with law.

**S.MURALIDHAR, J.**

**C.HARI SHANKAR, J.**

**DECEMBER 29, 2017**

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