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

+ **W.P.(CRL) 2417/2019**

ROHIT KUMAR

..... Petitioner

Through **Ms. Krishnashree Devee, Advocate with petitioner in person.**

versus

THE STATE & ORS

..... Respondents

Through

Mr. Chaitanya Gosain, Advocate for Mr. Rahul Mehra, Standing Counsel (Criminal) for State with Insp. Dharamveer Singh, SI Subhash Chand, PS Okhla, Industrial Area. Respondent No.3 in person with Mr. Anil Kumar, Uncle of Ms. Preeti Kain.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE I.S.MEHTA

O R D E R

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30.08.2019

The present petition seeks a writ in the nature of habeas corpus directing the respondents to produce Ms. Preeti Kain, the 18 year old daughter of Mr. Bijender Singh Kain, respondent No.3, who is stated to have married Mr. Rohit Kumar, the petitioner, before this Court.

It is an admitted position that, Mr. Rohit Kumar and Ms. Preeti Kain married each other at the Vedic Arya Mandal Trust (Regd.), C-253, Sector-9, Vijay Nagar, Ghaziabad, of their own free will and desire on 05.08.2019.

We have interacted with Ms. Preeti Kain, as well as her father Mr. Bijender Singh Kain and her maternal uncle Mr. Anil Kumar, today.

Ms. Preeti Kain, who is an adult, admittedly born on 17.02.2001, has expressed her desire to live with her husband Mr. Rohit Kumar, the petitioner, at their matrimonial home at 131, Ground Floor, Tekhand, Okhla, Industrial Area, Phase-1, New Delhi-110020.

Mr. Bijender Singh Kain, respondent No.3, the father of Ms. Preeti Kain, states that he has no objection if Ms. Preeti Kain were to reside with her husband, Mr. Rohit Kumar.

In view of the foregoing, the present habeas corpus petition is allowed and Ms. Preeti Kain is at liberty to reside with her husband Mr. Rohit Kumar, at her matrimonial home at 131, Ground Floor, Tekhand, Okhla, Industrial Area, Phase-1, New Delhi-110020.

No further orders are called for. With the above direction, the present writ petition is disposed of.

A copy of this order be given *dasti* under signature of Court Master to the learned counsel appearing on behalf of the parties.

SIDDHARTH MRIDUL, J

I.S.MEHTA, J

AUGUST 30, 2019

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