



2025:DHC:9505-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of decision: 28th October, 2025***

+ W.P.(CRL) 3477/2025 & CRL.M.A. 31619/2025
RINKU KUMARPetitioner

Through: Mr. Dinesh Malik, DHCLSC with Mr. Retesh Malik, Mr. Puneet Jain, Advocates along with petitioner in person.

versus

THE STATE OF NCT OF DELHI AND ORSRespondent
Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Ms. Priyam Agarwal, Mr. Abhinav Kr. Arya and Mr. Aryan Sachdeva, Advocates with Insp. Ashok Kumar and SI G. Singh.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T

1. Present petition has been filed under Article 226 of the Constitution of India read with Section 528 B.N.S.S., 2023 and petitioner, *inter alia*, seeks directions in the nature of *Habeas Corpus* to the respondents to produce his wife-Neha who has, allegedly, been illegally detained by the respondent no. 4 (his mother-in-law).
2. The brief facts of the case are that on 06.10.2025 petitioner and Ms. Neha solemnized marriage in accordance with Hindu rites and customs at Arya Samaj Mandir. Thereafter, when petitioner and Ms. Neha were staying at a Hotel, respondent no. 4, along with some persons, came there and took his



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wife away. Petitioner and Ms. Neha had also made a call to 112, however, Ms. Neha was taken away by her mother before the Police officials could arrive.

3. Ms. Neha is present in person, today. We have interacted with her. When asked, she stated that she was 21 years of age and had studied upto 7th Class.

4. She also submits that she would like to stay with her mother only and that she does not want to go back to petitioner. Her age is not in dispute and her statement is found to be voluntary and without any duress and pressure.

5. Since Ms. Neha is major and can take her own independent decision and since there is nothing to indicate any illegal detention, no further order is required to be passed in the present petition.

6. Resultantly, the petition is dismissed in aforesaid terms.

**(VIVEK CHAUDHARY)
JUDGE**

**(MANOJ JAIN)
JUDGE**

OCTOBER 28, 2025/sw/PB