



2025:DHC:1038-DB



\$~7

* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 18th February, 2025

+

W.P.(CRL) 479/2025

RAM NARESH & ANR.

.....Petitioners

Through: Mr. Mohd Yasin, Mr. Dawneesh Shaktivats, Mr. Sami Ahmed and Ms. Himanshi Mehta, Advs. (M: 9648594449)

versus

GNCT DELHI

.....Respondent

Through: Mr. Sanjay Lao, SC (Crl.) with Ms. Priyam Agarwal and Mr. Abhinav Kr. Arya, Advs. with SI Ajay, PS Kalindi Kunj.
Mr. P. Amrut and Mr. Keshav Bhardwaj, Advs. (M: 7771848348)
Keshav Bhardwaj Respondent no 2
Mr. Keshav Bhardwaj, Adv.
(M: 8510825551)

CORAM:**JUSTICE PRATHIBA M. SINGH****JUSTICE DHARMESH SHARMA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present writ petition is filed in the nature of *habeas corpus* seeking the production of Petitioner No.2's wife-Ms. 'P'. Petitioner No.1 is the father of the missing wife and Petitioner No.2 is the husband of the missing wife.
3. The Petitioner No.2 and Ms. P got married on 25th January, 2023. The allegation is that initially she left the matrimonial home in February, 2024 and went to her parental house. Thereafter, a person by the name of Mr. Rohit



Sharma, who claims to be an advocate, has been keeping her company. On the social media platforms, it is also claimed by both Mr. Rohit and Ms. P that they are engaged. Ms. P also switched off her mobile phone and has started using the mobile phone of the said Mr. Sharma. Certain WhatsApp messages and Instagram handle postings have also been placed on record to establish the identity of said Mr. Rohit Sharma. The legal notice is also placed on record dated 18th October, 2024 which is sent by Mr. Rohit Sharma, wherein he has alleged that the Petitioner No.2 – Husband has defamed him and has also sought damages and compensation.

4. Ms. P has been missing since 6th January, 2025 from her parental house. Even Ms. Anita Pandey, the mother of the girl has lodged a complaint about the missing status of her daughter.

5. The Id. Standing Counsel had informed the Court on 12th February, 2025 that the statement of the mother of the girl was recorded and an FIR was registered bearing **FIR No. 173/2025** under Section 140(3) of BNS, 2023 at PS Kalindi Kunj. The Court then directed that Ms. P, as also the boy-Mr. Rohit Sharma, who is also an advocate, be traced and produced before the Court.

6. Today, both of them have been produced. An in-chamber interaction has been held. There are conflicting versions and stories which each of the parties are giving to the Court. The parents of Ms. P and the father of Mr. Rohit Sharma are present. The Petitioner no.2 – husband of the girl is also present.

7. The girl states that she got married to Mr. Rajeev Solanki on 25th January, 2023. Her father opposed the said marriage, but her other family members including mother and *mausi* etc. participated in the marriage. The marriage, however, appears to have not lasted long - the reasons of which are



not clear to the Court at this point. The girl has thereafter met Mr. Rohit Sharma, who is an advocate and developed a liking for him. She states today that she does not wish to go back to her matrimonial home.

8. Mr. Rajeev Solanki – the husband states that Mr. Rohit Sharma has extended threats to him and his family. Both the parents of the girl do not want her to break the marriage with Mr. Solanki. However, the girl is clear that she does not want to continue her marriage and she submits that she wants to spend the rest of her life with Mr. Rohit Sharma.

9. The boy Mr. Rohit Sharma submits that he also intends to marry the girl. Initially Mr. Sharma informed the Court that he was living in Gwalior in the last few days since December and was not living with the girl. However, during the interaction with the girl and the father of Mr. Rohit Sharma, it has become clear which he thereafter admitted that he and the girl are living in Delhi in a rented accommodation since December 2024, when she left her parental house.

10. Since she does not wish to go back to her parents or to her husband-Rajeev Solanki, no further orders can be passed in this *habeas corpus* petition. Mr. Sharma has been directed not to extend any threats to the girl's husband, parents or any other family members. The IO has been instructed to ensure that Mr. Rohit Sharma does not extend any threats to the parents of the girl or to Petitioner No.2 or his family members.

11. The girl further submits that she does not wish to press any of her complaints against her husband or his family members. She further submits that she would be applying for divorce by mutual consent with Mr. Rajeev Solanki.

12. The petition is accordingly disposed of in the above terms. Pending



2025:DHC:1038-DB



applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**DHARMESH SHARMA
JUDGE**

FEBRUARY 18, 2025/gunn/ms