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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 221/2024 & CM APPL. 3294/2024, CM APPL. 3323/2024**

SARITA SHARMA KACHWAL

..... Petitioner

Through: Mr. Mukesh Kumar and Ms. Neha Rai, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mrs. Amrita Prakash, CGSC for UOI with Mr. Vishal Ashwani Mehta, Advocate.

Mr. Sanjay Lao, Standing Counsel (Crl.) with Ms. Priyam Agarwal, Mr. Abhinav Kumar Arya and Mr. Shivesh Kaushik, Advocates with Insp. Babu Lal and WSI Sanju, PS Palam Village.

Mr. Rajesh Kumar, SPP with Ms. Mishika Pandita, Advocate for CBI.

Mr. Shailendra Bhardwaj with Ms. Aroma S. Bhardwaj, Advocate for respondent Nos. 3, 6 and 7.

Mr. Santosh Kumar Tripathi, Standing Counsel (Civil), GNCD, Mr. Arun Panwar, Mr. Pradyumn Rao, Mr. Utkarsh Singh, Mr. Kartik Sharma, Mr. Prashansa Sharma, Mr. Rishabh Srivastava and Ms. Nikita Vir, Advocates for respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

24.01.2024

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1. Pursuant to order dated 22.01.2024, the status report dated 24.01.2024 has been produced in the Court. The same is taken on record.
2. It is worthwhile to recall that petitioner herein has filed a Habeus Corpus petition seeking direction that her daughter Sanskriti Sharma (respondent No.6) be produced and her custody be handed over to her for her proper treatment and counseling. She has claimed that her custody is with respondent Nos.3 (Adhyatmik Vishwa Vidyalaya), respondent Nos.4 (Amol Vasant Kokane), respondent Nos.5 (Virender Dev Dixit – founder of Adhyatmik Vishwa Vidyalaya) and respondent Nos.7 (Manisha Sharma – Inmate of Adhyatmik Vishwa Vidyalaya).
3. This Court, in order to satisfy itself, vide order dated 22.01.2024 had directed the State to inspect the Ashram in question, which is situated at Palam Colony, Delhi and to submit a status report, highlighting the living conditions available in said Ashram.
4. Status report highlights the description of the building and the living conditions of the devotee – girls. As per status report, the owner of the building, who also claims to be a spiritual follower, resides at the first floor of the building with his family. As per status report submitted today, there are four devotee – girls in said Ashram. They all are major and include Ms. Sanskriti Sharma – respondent No.6 herein. They all are reportedly residing in the Ashram of their own will and without any pressure and their aim is to achieve divinity and



purification of soul. As per the status report, the devotees were having laptops and telephones which they use for contacting others/family members and for watching spiritual content online and conducting lectures. As per the status report, there is no restriction on their using mobile phone within the Ashram and Ashram even allows their parents to meet.

5. Learned Standing Counsel has, however, drawn our attention regarding screenshots of the chats which are of the duration when respondent No.6 – daughter of the petitioner was minor and it is stated that despite the aforesaid status report, there is strong apprehension that she is being misguided in the said Ashram and there are chances of her exploitation.

6. Respondent No.6 (daughter of the petitioner) is present in Court. She is admittedly above 18 years of age. She states that she believes in spiritualism and has willingly joined the aforesaid Ashram to achieve divinity and that she does not want to go back to her mother.

7. It is pointed out by learned counsel for the petitioner that in a similar type of petition concerning the same Adhyatmik Vishwa Vidyalaya (respondent No.3 herein) i.e., W.P.(C) 11382/2017, DB-1 of this Court, vide order dated 08.02.2018, directed the respondent No.6 therein (respondent No.3 herein) to remove word “Vishwa Vidyalaya” forthwith from its name and the said Adhyatmik Vishwa Vidyalaya and its founder Virender Dev Dixit (respondent No.5



herein) were also prohibited from using the expression “*Vishwa Vidyalaya*” or “University” as part of their name in any manner. It is also informed that certain irregularities were noticed in one another Ashram of said Adhyatmik Vishwa Vidyalaya and said Ashram was also got inspected and the report submitted by the Committee had brought forth the inhuman conditions in which 100 of girls were housed in that premises.

8. We have checked the website www.pbks.info and notice that respondent No.3 is still using the expression “*Vishwa Vidyalaya*” which would amount to contempt of order dated 08.02.2018 of the DB-I of this Court.

9. Learned counsel for respondent No.3 – Adhyatmik Vishwa Vidhyalya has, however, shown one order dated 31.05.2023 passed in said W.P.(C) 11382/2017, whereby it had been brought to the notice of the Court the matter was subjudice as SLP was pending before the Hon’ble Supreme Court in respect of the same organization, especially in respect of use of word “*Vishwa Vidyalaya*”.

10. We have been apprised that apart from the abovesaid W.P.(C) 11382/2017, which is pending adjudication before DB-I on 05.03.2024, there is one more matter relating to the same Vishwa Vidhyalya and its founder and spiritual head. Such matter is WP(C) No.2004/2020, which is fixed for 31.01.2024 before DB-I.

11. We have also been apprised that the said writ petition i.e. W.P.(C) 2004/2020 was initially filed before learned Single Judge and



said petition was also, subject to orders of Hon'ble the Chief Justice, directed to be placed before the Division Bench presided by Hon'ble the Chief Justice. In the said writ petition also, the petitioners had sought release of their daughters from the premises of Adhyatmik Vishwa Vidhyalya situated in Rohini, Delhi. Both the abovesaid writ petitions are already subjudice before the Bench presided over by Hon'ble the Acting Chief Justice.

12. In view of the aforesaid, we direct that the present writ petition be also placed before DB-I on 31st January, 2024 alongwith WP(C) No.2004/2020, subject to orders of Hon'ble the Acting Chief Justice

SURESH KUMAR KAIT, J

MANOJ JAIN, J

JANUARY 24, 2024
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