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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 156/2015

RAJNI

..... Petitioner

Through :Mr. Akhilesh Singh, Adv. with Ms.
Shakuntala Raghav, General
Secretary, Karishma Development
Sansthan and petitioner in person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Through :Mr. Sanjiv Bhandari, ASC with Mr.
Manoj Bhandari, Adv. and SI Dinesh
Chandra, P.S. Swaroop Nagar, W/Ct.
Hemlata, P.S. Swaroop Nagar for
respondent nos. 1 and 2
SI Ram Videsh, P.S. Gangiri, Distt.
Aligarh, U.P. for respondent no. 3
Mr. Sanjay Singh, Adv. for
respondent no. 4 with respondent no.
4 and grandmother of petitioner in
person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.04.2015

Respondent no. 4, father of petitioner is present in Court. Ms. Shakuntala Raghav found petitioner wandering aimlessly at ISBT, Kashmere Gate, inasmuch as she was weeping. Petitioner informed Ms. Shakuntala Raghav that she was resident of Bilona, District Aligarh, U.P.

and had left her house since she was not properly treated by her parents. Ms. Shakuntala Raghav is the General Secretary of a NGO known as 'Karishma Development Sansthan'. She took petitioner with her in order to see that petitioner does not fall in wrong hands and being exploited. Thereafter, petitioner has filed the present petition with the help of Ms. Shakuntala Raghav praying therein that she be saved from the harassment of her parents and relatives.

It may be noted that petitioner's father found the petitioner missing from the house and had lodged the FIR No. 9/2015 under Sections 363/366/504 IPC and Sections 3 & 4 of Protection of Children from Sexual Offences Act, 2012 at Police Station Ghanghri Chowraha, District Aligarh on 19th January, 2015. In the FIR, petitioner's father had claimed that petitioner was a minor. He has given age of the petitioner as 14 years. As per the petitioner, her date of birth is 19th July, 1996 and she is major.

As per the certificate issued by Indian National Public School, Malsai, District Aligarh, U.P., the date of birth of the petitioner is 19th July, 1998. At the same time, date of birth of the petitioner in the certificate issued by Primary School, Bilona, Tehsil Ghangiri, District Aligarh, U.P., date of birth of the petitioner is 5th February, 1996. Petitioner had taken admission in this

school in Class – I and had studied upto Class – V. As per the certificate issued by Bohre Than Singh Inter College (BTSIC), Nagla Gumani, District Aligarh, U.P. from where petitioner has passed High School, the date of birth of petitioner is 1st July, 2001. Age of the petitioner is not clear from the documents produced by learned Additional Standing Counsel. However, I need not to go into this question in this petition as petitioner has reconciled the matter with her father and grandmother, who are present in Court. She has shown her willingness to accompany her father, that is, respondent no. 4 to his native place.

Petitioner submits that she left her house since she was maltreated by her mother as she refused to eat the food prepared by her. Petitioner submits that she has realized her mistake and wants to join her family as she is missing them.

During the pendency of present petition, in order to protect the interest of petitioner, her custody was given to “Nirmal Chhaya”. Petitioner is presently living in “Nirmal Chhaya” and has been produced in Court from “Nirmal Chhaya”. Since petitioner and respondent no. 4 have resolved their differences and petitioner is willing to join her parents and other family members in Ghanghiri, District Aligarh, U.P., “Nirmal Chhaya” is directed

to handover the custody of petitioner to her father, that is, respondent no. 4. Respondent no. 4, father of petitioner has been identified by SI Ram Videsh, P.S. Gangiri, Distt. Aligarh, U.P. appearing on behalf of respondent no. 3.

Petition is disposed of in the above terms. Copy of this order be given dasti to the counsels for the parties under the signatures of Court Master.

A.K. PATHAK, J.

APRIL 21, 2015

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