

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No. 17447 of 2014
Date of decision : 16.9.2016**

Saroj

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Keshav Pratap Singh, Advocate, for the petitioner

Mr. Anmol Malik, AAG, Haryana

Mr. Manjeet Singh, Advocate, for respondents No. 4

None for respondents No. 5 and 6

Mr. Anshuman Dalal, Advocate, for respondent No. 7

Ritu Bahri, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. seeking direction to respondents No. 1 to 3 to recover the daughter of the petitioner and produce before the Court.

Brief facts of the case are that on 27.10.2013 the petitioner received a telephone call from his wife regarding missing of his 14 years old daughter Nancy from the house. Thereafter, he reached in the village on 28.10.2013 and searched for his daughter. He apprehended that his daughter has been enticed away by Dilla son of Rajender and Pardeep son of Dilbag, both residents of Maina. In this regard FIR No. 396 dated 29.10.2013 under Sections 363, 366A IPC was got registered at Police Station Sadar, Rohtak. After registration of the

FIR, during investigation daughter of the petitioner was recovered from Old Delhi Railway Station on 19.12.2013. She was produced in the Court and her statement under Section 164 Cr.P.C, was got recorded. She was also medico legally examined and thereafter, the girl was handed over to the petitioner. She made another statement before the Court under Section 164 Cr.P.C. On the basis of her statements, Sections 342, 376D, 506, 34 IPC, Section 25 of the Arms Act and Section 4 of the POCSO Act were added in the FIR. Accused Narender @ Vicky was arrested on 31.12.2013. Accused Rohit was arrested on 2.1.2014 and in his confessional statement he admitted that he and Naresh @ Vicky had committed rape upon Nancy.

Accordingly, challan was presented against them. Accused Ashok @ Dhilla and Pardeep surrendered before the Court on 20.1.2014. Accused Pardeep Kumar was granted bail on 19.5.2014, accused Ashok @ Dhilla was granted bail on 23.5.2014 and accused Narender @ Vicky and Rohit were confined to jail. Charges were framed against the accused on 12.5.2014 and the case was fixed for prosecution evidence. In this regard, status report was filed in the Court on 29.9.2014.

Thereafter, the girl went missing again, FIR No. 6 dated 3.1.2014 under Section 365 was registered at Police Station, Rohtak against accused Narender and Vijay. But nothing was found against them and status reports were filed by the Superintendent of Police, Rohtak on 28.1.2015, 11.3.2015, 22.4.2015, 25.5.2015 and 6.9.2015. A Special Investigating Team was constituted under the supervision of DSP for investigation of the above FIR. Thereafter, status reports by the Superintendent of Police SCB(H), Panchkula were filed on 29.10.2015, 16.12.2015 and 12.5.2016, by Additional

Superintendent of Police, Bhiwani on 20.5.2016.

Learned State counsel on instructions from ASI Jaswant Singh, has finally informed the Court that untrace report now been prepared on 10.9.2016 by the SHO concerned and be presented in the Court.

In view of the above facts and circumstances, no further orders are required to be passed. The petition is accordingly dismissed.

(RITU BAHRI)
JUDGE

16.9.2016
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No