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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 661/2016**

MALKA BEGUM & ANR

..... Petitioners

Through : Mr. Javed Ahmed, Advocate.

versus

STATE NCT OF DELHI & ORS

..... Respondents

Through : Mr. Rahul Mehra, Standing Counsel
(Crl.) for State with Mr. Amrit Singh,
Mr. Aditya Swaroop Aggarwal,
Mr. Shekhar Budakoti and Mr. Jamal
Akhtar, Advocates.
SI Deep Chand, PS – Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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23.03.2016

Present writ petition under Article 226 of the Constitution of India has been filed by the parents of a 16years old minor girl who was missing since 13.02.2016. The needle of suspicion was on respondent no. 4 who was aided by respondent nos. 5 & 6. An FIR No. 228/2016 under Section 363 of the Indian Penal Code was registered at Police Station – Vasant Vihar against respondent no. 4.

Notice was issued in this matter.

The missing girl was produced before this court on 17.03.2016. In the chamber, we had interacted with the parents of the missing girl as also her sister. On 17.03.2016, the missing girl had made a statement that she had gone with respondent no. 4 out of her own free will. We may also notice

that after much persuasion, the girl had agreed to join the company of her parents and sister. She had also stated that she feared that her parents would force her to marry some other person.

This court had directed production of respondent no. 4 from Jail today. Respondent no. 4 claims that he was born in 1985. We have again taken up the matter in the chamber and have interacted with the minor girl. We are informed that respondent no. 4 is father of four children and a widower. Today, the minor girl submits that on the last date of hearing, she had made the statement before court under threat and force of respondent no. 4 as she was with him till two days prior to appearing in court. She submits that respondent no. 4 has been continuously threatening her of dire consequences including consequences *“as suffered by the victim of December, 2012”*. The missing girl, even today, submits that she is under constant fear of respondent no. 4. She submits that she would like to join the company of her parents and she was illegally removed from their custody by respondent no. 4.

In view of the stand taken by the minor daughter of the petitioner, the petitioner does not press this petition. The petition is disposed of.

Respondent no. 4 who has been produced from Jail, need not be produced in court unless specifically directed.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

MARCH 23, 2016

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