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

+ W.P.(CRL) 1289/2017

SMT KALAWATI AND ANR

..... Petitioners

Through: Mr Punit Vinay, Ms Kavita Chhibber, Mr Pankj Arya, Ms Prabha Sharma, Ms Seema Tiwari and Ms Meenakshi Chandel, Advs.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Tushar Sannu for Mr Rahul Mehra, Sr. Standing Counsel for State.
Shri R.K. Ojha, ACP, PS Dabri
Inspector Harmender and Inspector Manoj Kumar, PS Dabri
Inspector Neeru, SI Jaibir Singh, PS K.M. Pur.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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12.05.2017

The petitioner's daughter Poonam Yadav has been located and produced in the Court. She states that she was taken away by one Panna Lal. She wishes to return with her parents. Her statement has already been recorded under Section 164 Cr.P.C. The IO, who is present in the Court, states that on the basis of the statement made by Poonam, the other relevant provisions of the IPC and POCSO Act would be added to the FIR. He further states that Panna Lal, who has also been produced, would be arrested forthwith. The IO may take steps in accordance with law in this regard.

The petitioners have apprehension that the police personnel at the local Police Station, Dabri would pressurize them and Poonam to change

their statements since, as alleged by petitioners, the police personnel are hand in glove with Panna Lal.

The DCP South West District is directed to ensure that no pressure or coercion be exercised by any police personnel on the petitioners and Poonam for any purpose whatsoever. In case the petitioners or Poonam have any grievance in this regard, they shall directly lodge their complaint with the aforesaid DCP who shall look into the same without any delay.

We find from the record that photocopies of two Aadhar Cards of Poonam have been placed on record with different dates of birth. The Aadhar Card Number of both is same, i.e., 228497568385. The year of birth in one of them is ended with 2000, whereas in the other the date of birth is noted as 01.07.1997. The IO shall also examine this aspect, since apparently the same reveals a case of forgery and fabrication, and take appropriate steps in that regard.

Poonam states that she is presently pregnant with an embryo of about 2 ½ months. She states that she wishes to undergo abortion. She may move an appropriate application before the concerned Magistrate who is directed to deal with the application and dispose the same after calling for the requisite medical records well within time so that, in case she is desirous of undergoing abortion, the foetus does not grow beyond the limit prescribed under the Medical Termination of Pregnancy Act.

Poonam and the petitioners shall be escorted to their residence by the police so that they do not come to any harm from any quarters.

The petition stands disposed of.

Dasti.

VIPIN SANGHI, J

DEEPA SHARMA, J

MAY 12, 2017/bg