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

+ W.P.(CRL) 3106/2016

GULBEG ALI

..... Petitioner

Through: Mr.Azhar Qyum, Advocate

versus

STATE GOVT OF NCT OF DELHI & ORS. Respondents

Through: Mr.Rahul Mehra, Standing Counsel
(Crl.) for the State with Insp.Dharam
Dev and SI Rajender Singh, DIU/NE
Distt.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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11.10.2017

Mentally challenged daughter of the petitioner has been missing since 2013. As per the writ petition, at the relevant time, the petitioner was in jail having been convicted by the trial court for an offence under Section 302 IPC. Subsequently, the petitioner was acquitted. Upon being released from jail, the petitioner made a complaint. It also transpires that, in fact, the daughter was married to another mentally challenged person during the absence of the petitioner by the efforts of the daughter-in-law of the petitioner. The husband of the missing person has been interrogated but valuable leads have not been provided. During the pendency of the writ petition status reports have been filed detailing steps taken by the State to trace the missing person.

Mr.Qayum, counsel for the petitioner suggests that the husband of the missing person should undergo a polygraphy test.

Mr.Mehra submits that the State is open to such a suggestion but keeping the mental condition of the person steps were not taken in that direction. With the consent of the parties, we dispose of the writ petition at this stage with the following directions:

- (i) The State would continue to take serious steps to trace the missing person.
- (ii) The petitioner would be informed of the progress of the matter every six weeks, which shall be the responsibility of the Investigating Officer.
- (iii) The State would again re-examine as to whether the husband of the missing person is fit for polygraphy test.

With the aforesaid directions, the writ petition stands disposed of.

G.S.SISTANI, J

CHANDER SHEKHAR, J

OCTOBER 11, 2017

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