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

+ W.P.(CRL) 231/2016

KISHAN

..... Petitioner

Through: Mr. Dinesh Malik, Mr. Akash Saini
and Mr. Manish Malik, Advocates

versus

DELHI POLICE THROUGH COMMISSIONER
OF POLICE

..... Respondent

Through: Mr. Chaitanya Gosain Advocate for
Mr. Rahul Mehra, Standing Counsel,
GNCTD

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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20.04.2018

The petitioner has preferred this petition in the year 2016 to seek a writ of habeas corpus for production of his minor daughter – Chandni who had gone missing since 16.11.2015. The matter has been taken up thereafter from time to time.

Several status reports have been filed on the basis of the investigation carried out to locate the missing daughter of the petitioner. Eventually, Chandni has been located and produced before this Court today.

We have interacted with Chandni in Chamber. She states that she is not willing to return to live with the petitioner and her paternal family. She is presently being housed at Observation Home at Flag Home for Girls, Karol Bagh, New Delhi. Chandni states that she would prefer to stay there till she turns 18 years of age, whereafter, she will take her decision whether

she wishes to go with Rahul, once he is released from custody, or with any other person. Chandni states that she will decide whether or not to meet the petitioner and her family members depending on their behaviour and conduct towards her. She states that she would like to meet – Rahul, once he is released from the custody and his family member while staying at Observation Home at Flag Home for Girls, Karol Bagh, New Delhi.

The date of birth of Chandni is 23.04.2001. Thus, she will turn 18 years of age on 23.04.2019. Till then, she should be retained at the Observation Home at Flag Home for Girls, Karol Bagh, New Delhi. In case, Chandni wishes to go back to her paternal home, before she turns 18 years of age, she may be restored to the petitioner. It goes without saying that all such proceedings should be undertaken before the Child Welfare Committee.

Petition stands disposed of accordingly.

VIPIN SANGHI, J

P.S.TEJI, J

APRIL 20, 2018

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