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

+ W.P.(CRL) 1157/2018

SHANKAR PATEL

..... Petitioner

Through: Mr. Vikas Dudeja, Advocate.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel,
and Mr. Chaitanya Gosain, Advocate
along with Inspector Davender Singh
& ASI Gulab Singh, PS-Nangloi, for
the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

03.05.2018

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The missing daughter of the petitioner, namely Chanda has been produced from Nirmal Chhaya. We have interacted with the petitioner, his wife and Chanda in Chamber.

Chanda states that though her Date of Birth is recorded in the school record as 09.08.2002, she is, in fact, a major since she was born in the year 1999. She states that she is willing to return with the petitioner and to reside with her parents and would make her decisions once she is declared to be a major. She prays that her bone age test may be got conducted to determine her correct age.

The parents of Chanda have given an assurance to the Court that they shall deal with Chanda in a loving manner. They have also assured us and undertaken that they shall not get Chanda married to any person except with her consent and that too only after she has attained the age of majority. They are bound by this undertaking.

In these circumstances, we permit the petitioner to take Chanda with him from the Court itself. She need not be taken back to Nirmal Chhaya.

The IO is directed to get the Bone Ossification Test of Chanda conducted at the All India Institute of Medical Sciences (AIIMS), New Delhi. The report obtained from AIIMS shall be produced before the concerned Court dealing with the FIR No.95/2018 registered at PS – Nangloi, Outer District, Delhi. The said report shall also be communicated to Chanda. Depending on the said report, the learned Magistrate may pass appropriate directions with regard to custody of Chanda.

The petition stands disposed of in the aforesaid terms.

Order Dasti under the signatures of the Court Master.

VIPIN SANGHI, J

P.S.TEJI, J

MAY 03, 2018

B.S. Rohella