

\$~4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3081/2018**
SH. BISHAMBHAR SINGH

..... Petitioner

Through : Mr.Gurbaksh Singh and Mr.Rahul
Sarkar, Advocates with petitioner in
person.

versus

STATE & ORS.

..... Respondents

Through : Mr.Rahul Mehra, Standing Counsel
(Crl) with Inspector Mukesh Kumar
and SI Saurabh Kumar, PS Sangam
Vihar, Delhi.
Respondent No.4 in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

%

26.10.2018

1. Pursuant to an order dated 08th October, 2018 a fresh status report has been filed by the respondent/State wherein it has been stated that on 18th October 2018, the missing girl, Ms.Vandana, daughter of the petitioner, had on her own presented herself at P.S. Sangam Vihar and had joined the investigation. She had also produced her marriage certificate dated 06th October, 2018. On the same day, the medical examination of Ms.Vandana was conducted at AIIMS Hospital wherein she had refused to undergo any internal examination.

2. The parents of Ms.Vandana came to the police station on 18th

October, 2018 where she had refused to go with them to her home. She was therefore kept at a shelter home *Prayas*, at Tugalkabad, New Delhi.

3. When Ms.Vandana was produced before the Court of the learned Metropolitan Magistrate at Saket Courts, New Delhi her statement was recorded on 18th October, 2018 under Section 164 Cr PC wherein she has stated that she had voluntarily left her house on 24th September, 2018 without intimating her family members and had lived at Kalkaji Mandir till 03rd October, 2018. On 04th October, 2018 she had telephonically contacted respondent No.4/ Sachin and both of them had left for Bihar where they had got married on 06th October, 2018, in the presence of the respondent No.4's grandmother. Ms.Vandana and Sachin/respondent No.4 returned back to Delhi on 12th October, 2018.

4. The SHO, Sangam Vihar has verified the age proof of Ms.Vandana on 04th October, 2018 from the Sarovdya Kanya Vidyalaya, J Block, Sangam Vihar, New Delhi and it was found that her recorded date of birth is 03rd October, 2000. Accordingly, Ms.Vandana turned a major on 03rd October, 2018 and three days thereafter she had got married to Sachin/respondent No.4, on 06th October, 2018.

5. Ms. Vandana has made it clear that she is not willing to go with her parents and is happy residing with her husband/respondent No.4 at Samaypur Badli area, Delhi.

6. Today, the petitioner and his wife Smt.Lata, as also Ms.Vandana and respondent No.4/Sachin are present in the Court. The Court has separately interacted with Ms.Vandana, respondent No.4/Sachin and the parents of Ms.Vandana in the Chamber. Ms.Vandana having turned a major on 03rd

October, 2018, clearly states that she is happy with her husband/ respondent No.4 and has no intention of returning to her parents. The petitioner and his wife do not deny the fact that Ms.Vandana is now a major. They state that they have no choice but to reconcile to her marriage.

7. In view of the above, nothing further survives in the present petition, which is accordingly disposed of.

HIMA KOHLI, J.

YOGESH KHANNA, J.

OCTOBER 26, 2018

M