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

+ **W.P.(CRL) 2423/2017**

VINOD PRASAD Petitioner

Through: Mr. Nipur Saxena, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr. Chaitanya Gosai, Advocate for
Mr. Rahul Mehra, Standing Counsel
with Inspector Sushil Kumar & SI
Prity Bala.

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE I.S. MEHTA

ORDER
08.03.2018

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1. The latest status report filed by Station House Officer, New Friends Colony on 28th February 2018 states that, on 19th February 2018, Sriket Kumar produced the daughter of the Petitioner, Anupama, before the learned Additional Sessions Judge, Saket ('ASJ') before whom his application for anticipatory bail was being heard.

2. It appears that her statement was then recorded in which she stated that she and Sriket got married on 4th October 2017 and that she has had physical relations with him of her own will. It is stated that the police then added Section 376 IPC and Section 6 of the POCSO Act in FIR No. 287 of 2016

dated 14th August 2016. While she declined to undergo gynaecological examination, her statement was recorded under Section 164 of Cr PC by the learned Link Metropolitan Magistrate ('MM') on 20th February 2018. She stood by her previous statement and declined to return to her parents. On the same day, when she was produced before the Child Welfare Committee ('CWC') at Kalkaji, she again declined to return to her parents. The Chairperson, CWC directed her to be taken to Prayas Shelter Home, Tuglakabad where she is presently lodged.

3. Anupama, who is present in the Court. asserts that she is in fact older than what her parents have disclosed and that she is a major. The CWC will enquire into this aspect and, if necessary, get her ossification test conducted.

4. Learned counsel for the Petitioner states that the custody of Anupama should be handed over to her parents. Since the CWC is already seized of the matter the appropriate course for the Petitioner is to approach the CWC for further directions.

5. No further directions are called for. The petition is disposed of.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MARCH 08, 2018

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