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

+ **W.P.(CRL) 2151/2019**

ANJANA DEVI @ JAGDAMBA DEVI Petitioner

Through: Mr.V.N. Jha, Advocate with petitioner in person.

versus

STATE NCT OF DELHI & ANR Respondents

Through: Mr.Rahul Mehra, Standing Counsel (Crl.) with Mr.Chaitanya Gosain, Advocate for State with Inspector Nitin Kumar and SI Rinku Bhakkar, PS Ranhola.
Mr.Deepak Maharaj, Mr.Maruti Nandan and Ms.Heena, Advocates for Preeti Kumari and Vijay Prakash.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **20.08.2019**

Mr.V.N. Jha, learned counsel for the petitioner states that the age of Ms. Preeti Kumari should be determined in accordance with Section 94 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and not in accordance with ossification test as ordered by this Court on the last date of hearing.

This Court had directed ossification test as though the petitioner/mother had claimed that Ms.Preeti Kumari was born on 04.10.2001 yet the CBSE marks sheet-cum-certificate shows her date of birth as 09.05.2003! Further the Aadhaar Card produced by Ms.Preeti

Kumari in her writ petition being W.P.(CRL) No.2178/2019 shows her date of birth as 09.05.2000. Moreover, on physical appearance of Ms.Preeti Kumari, this Court was of the opinion that she is a major. Since in a habeas corpus petition, this Court has to make an interim arrangement for custody, it directed that an ossification test be carried out.

At this stage, learned counsel for the petitioner states that he does not wish to press the present writ petition any further. He however, prays that police may take action in accordance with law.

Consequently, the present writ petition stands disposed of with the aforesaid liberty.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

AUGUST 20, 2019
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