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

+ **W.P.(CRL) 3088/2018**

MEENA

..... Petitioner

Through: Mr. Ravi P. Shukla, Ms. Upasna Shukla
and Mr. Dhruv Shukla, Advocates

versus

STATE & ORS.

..... Respondents

Through: Ms. Aashaa Tiwari, proxy counsel for
Mr. Rahul Mehra, SC (Crl.)
ACP/AHTU S.K. Gulia.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% 16.01.2019

1. Pursuant to the order dated 13.12.2018, the petitioner's missing minor daughter 'A' has been produced by the respondents. We are informed that Delhi Police was able to track Manjeet Singh on 06.01.2019 at Jhunjhunu, Rajasthan in F.I.R. No.127/2018 lodged on the complaint of the petitioner. However, his brother, Naresh Sherawat managed to escape from the spot. On the next day, i.e. on 07.01.2019, the petitioner's minor daughter 'A' was recovered from Najafgarh, Delhi by the Delhi Police at the instance of Manjeet Singh. She was got medically examined at the Government hospital on 08.01.2019 and produced before the CWC, Nirmal Chhaya Complex. Presently, 'A' is residing at the Children Home for Girls, Nirmal Chhaya

Complex, Jail Road, Hari Nagar, Delhi. The statement of 'A' was recorded under Section 164 Cr.P.C. on 09.01.2019. The said statement has been enclosed with the Status Report, which is not on record but a copy has been handed over for our perusal by learned APP.

2. We are informed that Manjeet Singh was taken on 4 days' police remand and is presently in judicial custody. The investigation of the case is in progress.

3. We have had an extensive interaction with the petitioner and her minor daughter 'A', separately and jointly in the chamber. Since 'A' has expressed her willingness to return to her mother, it is directed that she shall be released forthwith from the Children Home for Girls, Nirmal Chhaya Complex on completion of all necessary formalities today itself.

4. The date of birth recorded in the school, where 'A' had last studied, i.e. Galaxy Senior Sec. School, Village Bupania, Dist. Jhajjar, Haryana, is 05.01.2002. Going by the said date of birth, 'A' had turned 17 years on 04.01.2019. She is still below the legally marriageable age which is 18 years.

5. Having regard to the limited scope of the present petition, which is for issuance of a writ of Habeas Corpus and in view of the fact that 'A' has been produced, we refrain from going into the legality and validity of the alleged marriage of 'A' with Manjeet Singh.

6. It is deemed appropriate to direct that the local police, in whose jurisdiction the petitioner is presently residing, shall take steps to ensure that none of the family members of Manjeet Singh visit the petitioner's residence or try to establish contact with 'A'. Further, the Beat Constable and the SHO

shall furnish their mobile numbers to the petitioner and they shall keep in regular touch with her on the phone to ask about the welfare of 'A'.

7. The present petition is disposed of.

DASTI under the signatures of the Court Master.

HIMA KOHLI, J

MANOJ KUMAR OHRI, J

JANUARY 16, 2019

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