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

+ W.P.(CRL) 3286/2019

CHOTE KHAN

..... Petitioner

Through Mr. Abhinan Mukhi, Advocate along
with petitioner in person and Mrs.
Fatima, the wife of the petitioner.

Versus

STATE

..... Respondent

Through Mr. Rahul Mehra, Standing Counsel
(Criminal) with Mr. Chaitanya
Gosain, Advocate for GNCTD with
SI Karamvir, PS AHTU/Crime
Branch.
Ms. Deepshika Singh, Ms. Sonakshi,
Ms. Radhika, Advocates with Mr.
Jaibala, Social Worker and Ms.
Banushree, Counsellor of Prayas
Home for Girls.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **24.01.2020**

Ms. Muskan, the minor daughter of Mr. Chote Khan and Mrs.
Fatima, has been produced from the Prayas Home for Girls,
Tughlakabad, Delhi, before this Court today.

We have interacted with the child, as well as, her parents in
Chambers.

Ms. Muskan has expressed her desire and willingness to return

home with her parents. The parents have undertaken to provide care and protection to Ms. Muskan and ensure to provide her all the necessary resources, encouragement and support, as may be needed by the latter, to secure her well-being and welfare, particularly in view of the circumstance that, she is two months' pregnant.

The parents have further assured us that, they will not force Ms. Muskan to undergo an abortion or seek to get her married, till she attains the age of majority.

The parents, lastly, assure us that, they shall escort Ms. Muskan to the Prayas Home for Girls, Tughlakabad, Delhi, whenever required, so as to enable the latter to continue with her counselling sessions.

Directed accordingly

Since Ms. Muskan has expressed her desire of free will and accord to reside with her parents at her residential home at F-3, Gali No.2, House No.181, Sangam Vihar, Delhi; she need not be returned to the Prayas Home for Girls, Tughlakabad, Delhi, or produced before the Child Welfare Committee.

We express our appreciation to the Delhi Police for the prompt action taken by them in locating and recovering of Ms. Muskan.

No further directions are called for.

With the above directions, the present habeas corpus petition is allowed and disposed of.

A copy of this Order be given *dasti* under signature of Court Master to the learned counsel appearing on behalf of the parties.

A copy of this order be also transmitted to Prayas Home for

Girls, Tughlakabad, Delhi, for necessary information and compliance.

SIDDHARTH MRIDUL, J

I.S.MEHTA, J

JANUARY 24, 2020

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