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

+ **W.P.(CRL) 1278/2020**

RAJU AHIRWAR

..... Petitioner

Through: Mohd. Waseem Khan, Advocate.

versus

THE STATE (N.C.T.) DELHI & ORS.

..... Respondents

Through: Mr. Chaitanya Gosain, Advocate for
Mr. Rahul Mehra, Standing Counsel
for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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20.08.2020

Crl.M.A. No. 11248/2020

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 1278/2020 and Crl.M.A. No. 11247/2020

3. This petition has been preferred by the petitioner to seek a writ of Habeas Corpus for production of his minor daughter Kumari Kajal – who went missing on 15.09.2019 from Village – Garhi Malahara, District – Chhattarpur, Madhya Pradesh (M.P.). The petitioner has already lodged a complaint at the local police station, wherein respondent No.4 has been named as a suspect. On the basis of the said complaint, an FIR already

stands registered on 19.09.2019 at the Garhi Malahara Police Station (M.P.) being FIR No. 168/2019. The petitioner has preferred this petition before this Court on the premise that a call was received from the missing daughter of the petitioner from a telephone number which, according to the petitioner, is in Delhi.

4. We are not inclined to interfere in the present matter on account of lack of territorial jurisdiction since the entire cause of action has arisen within the State of Madhya Pradesh. The FIR also stands registered in Garhi Malahara Police Station (M.P.). It is for the Investigation Officer concerned to conduct investigation into the lead provided by the petitioner with regard to the telephone call allegedly received from his missing daughter.

5. Consequently learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file the same before the Competent High Court.

6. Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

AUGUST 20, 2020

B.S. Rohella