

... Petitioner

State of Maharashtra and another

... Respondents

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Mr. Nitin Onawane, Sr.PI, Bhandup Police Station, present.

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CORAM : NITIN JAMDAR AND
N.R. BORKAR, JJ.

DATED : 14 JULY 2022

P.C. :-

This Petition is filed by a mother of the missing minor-Kajal (her daughter) for issuing a writ of Habeas Corpus i.e. directing the Respondents to produce her minor daughter before the Court.

2. In this Petition it is stated that the minor is 15 years old and is a student. Her custody was handed over to elder sister of the Petitioner who was residing at Bhandup. The minor had gone missing in November 2021 and the C.R. No. 267 of 2021 was registered. Thereafter, the minor was traced and was brought back.

The minor has again gone missing and therefore, the Petitioner has filed C.R. No. 611 of 2021 with Bhandup Police Station. By the present Petition, the Petitioner has made a grievance that her minor daughter is missing since November 2021.

3. The learned PP on instructions submitted that the report has been received wherein it is stated that the authorities have made serious efforts in trying to trace the minor. The enquiries were made with the friends of the minor as well as in the area where the minor was traced earlier. Posters of the missing minor have been put up and efforts have been made to trace the minor through the use of social media. Of those whom the police authorities had suspicion, call detail records (CDR) were analysed. The CCTV footage of the Bhandup Railway Station was also examined. Publication in the newspaper and on national television has also been done. A written note was found in the minor's notebook stating that she is going on her own and nobody should try to trace her. The statements of four persons have been recorded. The learned PP states that now Special Investigation Team (SIT) has been constituted to trace the minor which is headed by the Police Inspector (Crime) Shri Dhananjay Shinde.

4. Therefore, this is not a case where the authorities have taken no steps to trace the minor. Even before Petition is filed,

substantial efforts have been made to trace the minor. Now the SIT has been constituted to trace the minor.

5. The learned Counsel for the Petitioner states that the Petitioner is satisfied with the efforts taken and if they have any information, they will contact the Police Inspector who is now heading the SIT.

6. Furthermore, we direct that the Deputy Commissioner of Police of the concerned area and the jurisdiction would also look into the matter and call for quarterly report from the SIT.

7. With these observations, we dispose of this Petition. However we do so on the expectation that the Deputy Commissioner of Police would look into the matter and ensure that the investigation continues under the SIT, and we do not deem to have closed the matter in perpetuity.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)

KANCHAN
PRASHANT
DHURI

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