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

% ***Date of decision: 02.11.2023***

+ **W.P.(CRL) 1876/2020 & CrI.M.A. 5232/2023**

SIMRAN

..... Petitioner

Through: Mr.Kanwar Udai Bhan Singh
Sehrawat, Mr.Ravi Kumar &
Mr.Karan Jeet Singh, Advs.

versus

STATE GOVT. OF N.C.T. OF DELHI) & ORS. Respondents

Through: Mr.Sanjay Lao, Standing Counsel
with Mr.Priyam Agarwal, Mr.Shivesh
Kaushik & Mr.Abhinav Kr. Arya,
Advs.
Insp. Rajeev Kakkar, AHTU/Crime
Branch.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE SHALINDER KAUR

J U D G M E N T (oral)

1. The petitioner has preferred the present petition seeking a writ of habeas corpus for production of his minor son, who went missing on 23.08.2020 from Haiderpur Canal. FIR No. 279/2020 stands registered at Police Station K.N. Katju Marg for the offence punishable under Section 363 IPC.
2. Learned counsel appearing for the petitioner submits that her minor son, namely, Gautam, aged 17 years, had gone to the Canal near Haiderpur



Treatment Plant, Sector-13, Rohini, Delhi on 23.08.2020 along with his cousin brother Karan and six other friends but he did not return home. Consequent to this, husband of the petitioner made a police complaint on the same day, i.e. on 23.08.2020, and the said FIR came to be registered at Police Station K.N. Katju Marg on 24.08.2020.

3. The petitioner filed several police complaints before the offices of ACP, DCP, Commissioner of Police, Delhi Police (Respondent No.2) and sent numerous complaints to Hon'ble LG of Delhi, Prime Minister of India and the concerned Metropolitan Magistrate. However, the petitioner states that it was to no avail.

4. As per the status report dated 27.10.2023, during the investigation, various letters were sent to different organizations and offices to search for the missing child, however, no clue was found as per their response. On 13.09.2023, a team visited Panvel, Maharashtra, in a similar case where Hue and Cry notices were pasted and search for the victim was conducted at prominent places of Panvel, however, the child could not be traced. Various tracking websites were frequently checked for a potential/similar match of the victim child and some local inquiries around the residence of the victim were also made. Resultantly, upon finding no leading information on the child, the father of the victim 'G' was contacted on 23.10.2023 to ascertain any fresh clue of the missing boy 'G' but no prime information was received.

5. In light of the aforesaid and since all possible efforts to trace the missing boy have been made and the FIR is pending investigation, we hereby dispose of the present writ petition directing the DCP concerned to set up an SIT to locate, recover and produce the missing child before the



learned Metropolitan Magistrate expeditiously, preferably within a period of two weeks. In case of any delay, the concerned police officials shall file a quarterly status report before the concerned learned Metropolitan Magistrate and, if any clue is found about the minor son, the same shall be transmitted to the petitioner.

6. In view of the above, the petition as well as pending application, if any, is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SHALINDER KAUR)
JUDGE

NOVEMBER 02, 2023/ab