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

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

+ **W.P.(CRL) 450/2022**

SHOBHA DIXIT

..... Petitioner

Through: Mr.Bibhuti Bhushan Mishra,
Mr.Kamlesh Kumar Mishra,
Mr.Kailash Jha & Mr.Aditya, Advs.

versus

COMMISSSIONER OF POLICE AND ORS

..... Respondents

Through: Mr.Sanjay Lao, Standing Counsel
with Mr.Priyam Agarwal, Mr.Shivesh
Kaushik & Mr.Abhinav Kr. Arya,
Advs.

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 to seek a writ of habeas corpus for the production of missing child namely Manu @ Mohit aged 5 years, who went missing on 23.12.2010. FIR No. 250/2010 stands registered at Police Station Kashmiri Gate for the offences punishable under Section 363 IPC.

2. The brief facts of the case are that the petitioner herein is a beggar at Hanuman Mandir, Kashmere Gate, Delhi and makes her living by getting donations from the devotees of Hanuman Mandir. On 23.12.2010, her minor



son namely Manu @ Mohit 5 year old at that time, went missing from the temple.

3. The petitioner made various efforts by searching for her son in the Mandir compound and in the vicinity of the Hanuman Mandir, however, the child could not be found. Thereafter, petitioner registered an FIR No.250/2010 dated 23.12.2010 at Police Station Kashmere Gate for the offence under Section 363 IPC. Even after lapse of many years, there was no trace of the missing child and police kept on submitting the same. The petitioner went to police station several times, but to no avail. Hence, the present petition.

4. Mr.Sanjay Lao, learned Standing Counsel for the Delhi Police has drawn the attention of this Court to the efforts taken by the Delhi Police to trace the missing child. Regular checking of zipnet for missing and found children is being done to trace the missing child, also photographs and Hue and Cry notices of the missing child have been pasted at various bus stops, railway stations, cinema halls and other places in Delhi. Various NGOs have also been contacted and details of the missing child have been sent to them.

5. Efforts were also made to find the missing child in Paryas Open Shelter, Kashmiri Gate; Paryas JAC Society, Mori Gate; DMRC Children Home, Tis Hazari, ODRS Open Shelter, Salaam Baalak Trust; Sanskar Ashram for Boys-I & II, Dilshad Garden; Sopan c/o SOS Children Villages of India, Mandakani Enclave, Alaknanda; and Upvan, SOS Children Village of India, Safdarjung Enclave, New Delhi, however, no clue was found. Thereafter, an information was received that a child lifter gang has been arrested by CIA police, Faridabad (HR). A team of AHTU/Crime Branch was sent to CIA office, Faridabad to interrogate the accused persons but no



clue was found regarding the missing boy.

6. 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 while directing the concerned police officials to file a quarterly status report before the concerned Metropolitan Magistrate and, if any, clue is found about the minor son, the same shall be transmitted to the petitioner.

7. In view of the above, the petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SHALINDER KAUR)
JUDGE

NOVEMBER 02, 2023/ab