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

% ***Date of decision: 19.12.2023***

+ **W.P.(CRL) 2900/2023 & CrI.M.A.26944/2023**

ANARKALI

..... Petitioner

Through: Ms.Arundhati Katju, Adv.
(DHCLSC) with Ms.Shristi Borthakur
& Ms.Ritika Meena, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Sanjay Lao, Standing Counsel
(Crl.) with Ms.Priyam Agarwal,
Mr.Abhinav Kr. Arya & Mr.Shivesh
Kaushik, Advs. for State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE SHALINDER KAUR

J U D G M E N T (oral)

1. Present petition has been filed in the nature of Habeas Corpus under Article 226 of the Constitution of India seeking directions to the respondents to produce the petitioner's daughter in relation to complaint bearing GD No.0055A dated 31.05.2023 registered at Police Station Sector-23, Dwarka.

2. The petitioner is aggrieved by the fact that petitioner's daughter went missing since 13.05.2023. Background of the case is that detenu stayed with the petitioner in Delhi in April, 2023 as her husband got arrested in some case in February, 2023. On 08.05.2023, detenu left her daughter with the



petitioner for Karnal to arrange funds for bailing out her husband but did not return. Thereafter petitioner was in touch with her daughter till 13.05.2023. Since 13.05.2023, her daughter has been missing and petitioner had no contact with her.

3. It is averred by the petitioner that she personally went to Karnal twice to inquire about her daughter and lodged complaints there. A missing report bearing GD No.0055A dated 31.05.2023 has been registered at police station Sector-23, Dwarka in Delhi, however, FIR has not been registered till now. Petitioner has averred that she visited the police station but no satisfactory response was given and the police did not make any effort to find out the whereabouts of her daughter till date.

4. Mr.Sanjay Lao, learned Standing Counsel on behalf of the State/respondent has placed before this Court latest status report dated 06.12.2023 wherein it is stated that during the course of inquiry, it was found that detenu was in close relation with one suspect Naveen and both Naveen and detenu are missing as of now. CDR of suspect Naveen's number was analyzed and few numbers were found active in Karnal. To track down the suspect, a raid was conducted at the room where detenu was residing with her husband. The statement of the landlord was recorded wherein she stated that suspect Naveen and detenu were close and used to spend time together when her husband was away. Upon local inquiry, it was found that they were seen together and closeness between them grew because detenu's husband used to be in the influence of intoxication and used to pick fights with her on petty issues. Raid was also conducted where one suspect Naveen used to live and statement of the owner of the room was also recorded wherein he stated that Naveen often brought one girl, Ms. 'M'



and he suddenly eloped without any information leaving behind his belongings at the room, however, despite all these efforts, no clue of the missing girl could be found.

5. In light of the aforesaid and since all possible efforts to trace petitioner's daughter have been made, we hereby dispose of the present writ petition directing the State to register an FIR as per law and concerned police officials to file a monthly status report before the concerned Metropolitan Magistrate and also provide the same to the petitioner and, if any clue is found about the missing girl of the petitioner, the same shall be communicated to the petitioner.

6. With directions as aforesaid, the petition as well pending application stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SHALINDER KAUR)
JUDGE

DECEMBER 19, 2023/ab