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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: December 08, 2023

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W.P.(CRL) 3425/2023**MS SUSHEELA****..... Petitioner**

Through: Mr. Pankaj Sinha, Mr. Kamlesh Kumar Mishra, Mr. Raj Mani Mishra, Mr. Dipak Raj and Ms. Archana Kumari, Advs.

versus

COMMISSIONER OF POLICE & ORS. & ORS. Respondent

Through: Mr. Sanjay Lao, Standing Counsel (Criminal) with Ms. Priyam Agarwal, Mr. Abhinav Kumar Arya and Mr. Shivesh Kaushik, Advs. with Inspector Sombir Singh and SI Amit Rathee, PS Ashok Vihar.

CORAM:**HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MS. JUSTICE SHALINDER KAUR****JUDGMENT (oral)**

1. The present writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure ('Cr.P.C'), 1973 has been filed seeking the following prayer:-

- "I. Issue a Writ of Habeas Corpus or for any appropriate writ, order or direction to the Respondents to immediately produce before this Hon'ble Court, the abovementioned missing daughter of the petitioner, Ms. M.
II. Pass such other order or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case."



2. Mr. Sanjay Lao, learned Standing Counsel (Criminal) for Delhi Police submitted that complainant stated that on 13.11.2023 at about 01:00 PM, her minor daughter 'M', aged about 17 years had gone away from home and did not return. During investigation, search for the missing girl was carried out in the nearby areas and it was revealed that she had gone with boy named Suraj, aged 21 years, whose sister was residing in the neighbor of the complainant. Thereafter, sister of the alleged suspect Suraj, her family members and friends of Suraj were examined, however, no clue of the missing girl was found. WT messages were flashed, information was uploaded on ZIP NET, information of the missing girl was given to NCRB, SCRB, CRO, CIC, CBI & Doordarshan, hue and cry notices were pasted, however, no clue could be found. Thereafter, on 25.11.2023, missing girl along with the alleged suspect Suraj came to Delhi and mother of missing girl brought her to police station. The missing girl stated that as her father had scolded her, therefore, in anger, she had gone to Goa with her friend Suraj.

3. It is further submitted by learned Standing counsel that the purportedly missing girl had again left her house and investigation to trace her is still on.

4. In view of the above, since FIR bearing no. 480/2023 under Section 363 IPC has already been registered at PS Ashok Vihar and the investigation is in process, we hereby dispose of the present writ petition while directing the concerned police officials to file monthly status report before the concerned Metropolitan Magistrate and if any clue is found about the purportedly missing girl, the same shall be transmitted to the petitioner.



2023:DHC:8779-DB



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

SURESH KUMAR KAIT, J.

SHALINDER KAUR, J.

DECEMBER 08, 2023/ss