



\$~11

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

%

Date of decision: December 22, 2023

+ W.P.(CRL) 3801/2023

INDU DEVI

..... Petitioner

Through: Mr. Anuj Kumar Pandey and Mr. Sanjeev Shanker, Advs. along with petitioner.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, Standing Counsel (Crl) with Ms. Priyam Agarwal and Mr. Shivesh Kaushik, Advocates with Inspector Manoj and W/SI Garima Bhatia, PS Adarsh Nagar.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE SHALINDER KAUR

JUDGMENT (oral)

1. 1. The present writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been preferred by the petitioner seeking the following prayer:-

“1. To pass an Order issuing appropriate Writ, Order or directions in the nature of Habeas Corpus, directing the respondent to produce Ms Anjali, daughter of the Petitioner in body before this Hon'ble Court, enabling the Petitioner to get her daughter.”

2. In furtherance of order dated 21.12.2023, W/SI Garima Bhatia is



present in Court, who has produced video of the alleged missing girl, who stated that her parents wants to marry her with someone else, however, she is not interested and she has left her home on her own will and she does not want to go to her parental residence.

3. The learned counsel for the petitioner submits that it is a false statement.

4. It is not in dispute that the alleged missing girl went to police station on her own and made statement as recorded in order dated 21.12.2023. Moreover, we have seen the video in the phone of W/SI Garima Bhatia and in addition to that, the said officer has also recorded the statement of the suspect against whom FIR No. 788/2020 has already been registered on 04.12.2020 in PS Adarsh Nagar under Section 363 IPC. In his statement dated 21.12.2023, the suspect has stated that he does not know whereabouts of the missing girl and she has no contact with her.

5. In view of the above, we hereby dispose of the present petition while directing the concerned police official/S.H.O that as and when any clue of the missing girl is found, the same shall be communicated to the petitioner.

SURESH KUMAR KAIT, J.

SHALINDER KAUR, J.

DECEMBER 22, 2023/ss