



\$~19

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

% ***Date of decision: 09th January, 2024***

+ W.P.(CRL) 94/2024 & Crl.M.A.789/2024 (exemption)

SUSHMA Petitioner

Through: Mr. Harsh Prabhakar, Advocate
(DHCLSC) with Mr. Dhruv
Chaudhary, Ms. Pallavi Garg, Mr.
Adeeb Ahmad, Advocates with
petitioner in person.

versus

STATE NCT OF DELHI Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya and Mr. Shivesh
Kaushik, Advocates with ASI Rakesh
Kumar, PS. S.B. Dairy.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Present petition has been filed as Habeas Corpus under Article 226 of the Constitution of India seeking directions to the respondent to produce missing minor daughter of the petitioner.
2. The petitioner is aggrieved by the fact that on 25.11.2023 at around 05:30 pm, petitioner's minor daughter, aged 13 years, went



missing from her home and has not come back so far.

3. Since despite the best efforts made by her family members, there was no clue about her, FIR No.1007/2003 under Section 363 IPC at Police Station Shahbad Dairy was registered on 26.11.2023, i.e., one day after the incident.

4. Heard.

5. Notice issued.

6. Mr. Sanjay Lao, learned Standing Counsel accepts notice on behalf of the State/respondent and has placed before this Court status report dated 09.01.2024 wherein it is stated that on 26.11.2023, wireless message was flashed to all the SSPs and DCPs in India and all SHO's in Delhi with the details of the missing girl. On 28.11.2023, information was also sent to District Missing Person Unit (DMPU) vide Dairy No.4976/SHO/SB Dairy. The details were checked with the UIDBs but none of them matched the details of the missing girl. Letter was sent to Doordarshan Kendra, New Delhi, for search of the missing girl. A letter was also sent to HAG Branch for the publication of the details and photographs of the missing girl in daily newspapers vide Dairy No.4975/SHO/SB Dairy.

7. He further submits that on 28.11.2023, the complainant was contacted who informed that one boy namely Sourabh S/o Rakesh was also missing from his house and she apprehended that he had kidnapped her daughter. He further submits that during inquiry, the



family members of Sourabh were interrogated at length and they informed that Sourabh had not come to house since last three days and was missing. He further submits that during further inquiry, call details of mobile number (7982744525) of suspected person Sourabh was obtained but the above said mobile number was found switched off after 26.11.2023. He further submits that the available information on ZIPNET and with the office of DMPU were checked on regular basis but no clue could be ascertained. The IMEI number of the suspected person Sourabh was sent to CDR Cell to find out as to whether any new SIM is inserted in the said mobile. Raids were conducted at the hideouts of alleged suspected person Sourabh, however, despite all these efforts, no clue of the girl or the suspected person Sourabh could be found.

8. The status report dated 09.01.2024 is taken on record and we have perused the same.

9. In light of the aforesaid and since all possible efforts to trace out the missing girl have been made and the FIR is pending investigation, we hereby dispose of the present writ petition directing the concerned police officials to file a monthly status report before the concerned Metropolitan Magistrate and, if any, clue is found about the minor daughter of the petitioner, the same be communicated to the petitioner.

10. The SHO of the concerned Police Station is also further directed to transfer the case to the Anti-Human Trafficking Unit



(AHTU), Crime Branch and the said Branch is directed to file status report, as indicated above, before the concerned Metropolitan Magistrate.

11. With directions as aforesaid, the petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

JANUARY 09, 2024
st