



\$~17

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

% ***Date of decision: 26th February, 2024***

+ **W.P.(CRL) 365/2024 & CRL.M.A.3364/2024**

SHANTI DEVI

..... Petitioner

Through: Mr. Anwesh Madhukar, DHCLSC
and Mr. Devesh Khanagwal,
Advocates alongwith Petitioner in
person.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal, Mr.
Shivesh Kaushik and Mr. Abhinav
Kr. Arya, Advocates for the State
with Insp. Prabhu Dayal, SI Pankaj
Yadav and ASI Mukesh Kumar, P.S.
Nangloi.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. The petitioner has preferred the present petition under Article 226 read with Article 21 of the Constitution of India and under Section 482 Cr.P.C. seeking, *inter alia*, issuance of a Writ of Habeas Corpus to respondent to produce minor daughter, Miss 'A' of the petitioner.
2. Mr. Sanjay Lao, learned Standing Counsel appearing on behalf of respondent-State has handed over a status report dated 26.02.2024 in the



Court today, which is taken on record.

3. In the status report dated 26.02.2024, it is noted that on the complaint of petitioner that her minor daughter Miss 'A' has left the house without informing anyone on 13.12.2022 at about 12:30 PM, apprehending that she had been allured away by unknown persons. FIR No.984/2022 under Section 363 IPC was accordingly registered on 16.12.2022.

4. It is further noted in the status report that on 18.12.2022, petitioner came to the Police Station with the missing girl i.e. her daughter and stated that due to minor altercation she had left the house with her friend without informing anyone. The missing girl was taken to the Sanjay Gandhi Hospital Mangolpuri, Delhi for medical examination on the same day and thereafter, her custody was handed over to her mother i.e. petitioner, and after completion of investigation, "cancellation report" of the case was prepared.

5. Yet again, on 16.10.2023 on the complaint of petitioner that on 01.01.2023 at around 4:00 PM, her daughter had left the house without informing her, another FIR No.799/2023 under Section 363 IPC was registered. The petitioner reiterated that her daughter has been allured by unknown persons.

6. During investigation IO circulated hue and cry notice, WT message and a request letter for publication of kidnapping in Newspapers and Prasar Bharti (Doordarshan Kendra) and also call detail record in respect of mobile No. 8439562221 from which threatening calls were allegedly received by the petitioner, were gathered. The investigation of the case is further in progress.

7. The learned Standing Counsel for respondent-State submits that various steps to locate the missing daughter of the petitioner have been



taken, however, till date no clue has been found.

8. In view of the above, we hereby dispose of the present petition directing the respondent to file monthly status report in FIR No. 799/2023, registered at Police Station Nangloi, Delhi before the concerned Metropolitan Magistrate, specifically stating therein the progress made in the investigation.

9. It is made clear that if the missing girl is traced or rescued, she shall be produced before the learned Metropolitan Magistrate without any delay and such information shall be given to the petitioner and her family members.

10. With aforesaid directions, the present petition and pending application are disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

FEBRUARY 26, 2024/MR