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

% ***Date of decision: 05.02.2024***

+ **W.P.(CRL) 378/2024**

NIRMALA DEVI

..... Petitioner

Through: **Mr.Dhruva Bhagat & Ms.Meenu Sethi, Advs.**

versus

STATE

..... Respondent

Through: **Mr.Sanjay Lao, Standing Counsel (Crl.) with Ms.Priyam Agarwal, Mr.Abhinav Kr. Arya & Mr.Shivesh Kaushik, Advs. for State. ASI Kamal Singh Insp. Rajesh Malik SHO Bindapur.**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CRL.M.A.3446/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is accordingly disposed of.

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3. 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.



4. The petitioner is aggrieved by the fact that on 30.11.2023 at around 6:30 am, petitioner's minor daughter, aged 14 years, did not return back home from school. Petitioner tried to search her minor daughter but to no avail.
5. Upon her complaint, FIR No.814/2023 under Section 363 IPC at Police Station Binda Pur was registered on 13.12.2023. Petitioner has averred that she visited the police station many times but no satisfactory response was given and the police have not made any effort to find out the whereabouts of her minor daughter till date.
6. Notice issued.
7. Mr.Sanjay Lao, learned Standing Counsel accepts notice on behalf of the State/respondent and has placed before this Court status report dated 05.02.2024 wherein it is stated that upon the complaint of the petitioner, abovesaid FIR has been registered. It is further stated in the status report that during investigation, local inquiry was made from the public and it was revealed that missing girl was seen at her house and on enquiry about missing girl from her mother namely Nirmala, she had stated that she came to know that her daughter was residing with her friend namely Ajay Kumar at Samastipur, Bihar and mother brought back her daughter/missing girl to Delhi about 25 days back. But after 2-3 days, she again left from house without any intimation. After that, IO/ASI Kamal asked from the mother why she didn't inform to the police to which she didn't give any satisfactory answer.
8. The status report dated 05.02.2024 is taken on record and we have perused the same.
9. In light of the aforesaid and since all possible efforts to trace 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 shall be communicated to the petitioner.

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

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

FEBRUARY 05, 2024/ab