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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(CRL) 462/2023, CRL.M.A. 7341/2023, CRL.M.A. 8329/2023,
CRL.M.A. 13970/2023 and CRL.M.A. 24408/2023

AKANSHA SHARMA AND ANRPetitioners

Through: Mr. Gagan Gandhi, Advocate

versus

STATE OF NCT OF DELHI AND ORSRespondents

Through: Mr.Anand V. Khatri, ASC for State with
SI Sudeep Punia

Mr. Shoumendu Mukherji, Senior Panel Counsel
with Ms. Megha Sharma and Ms. Arya Jha,
Advocates for Union of India

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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16.10.2024

1. Ms. Kesar Praveen, Officiating Chairperson of CWC is present in Court today and submits that petitioner No.1 has shown inclination to join a school and continue her education. She further submits that the petitioner No.1 is undertaking vocational courses and necessary & immediate efforts would be made to ensure that petitioner No.1 joins a school and continue her education.

2. The present petition has been preferred with the following prayers:-

“a. Pass a writ of mandamus or any other appropriate writ or order or direction in the nature thereof directing the respondent no.1 & the respondent no.2 to provide protection to the life & liberty of the petitioner(s) against the threat by the parents of the petitioner no.1 ie the respondent no.3 & the respondent no.4 and or their agents.”



3. During the pendency of the proceedings, on 17.02.2023, the Court had noted the facts and passed the following order:-

“3. Petitioner No.1 allegedly to be 22 years belonging to an upper caste had married to petitioner No.2 – aged 26 years of allegedly of a lower caste, seek protection from the respondents No.3 & 4 viz., the parents of petitioner No.1. It is submitted both petitioners married on 17.01.2023 at Firozabad, UP per marriage certificate annexure 1. The date of birth of petitioner No.1 is mentioned as 28.08.2000, hence claiming herself to be major.

4. The learned ASC for the State submits petitioner No.1 is less than 18 years and even her name is not as mentioned in the memo of parties hence notice be issued to parents of petitioner No.1 to find out her correct name and age.

5. The SHO, police station Khayala shall personally meet the petitioners and understand the threat perception and shall act in accordance with law. The petitioner No.1, since is stated to be less than 18 years of age, be forthwith produced before the Child Welfare Committee for an appropriate enquiry about her age and also for requisite orders qua her custody.

6. In any case the mobile phone numbers of Division Officer / Beat Constables be provided to the petitioners so that in case of any emergency they can be contacted for immediate help.

7. Status report be filed by the State in this regard before next date of hearing with an advance copy thereof to the learned counsel for petitioners.

4. The status reports have been placed on record. The status report dated 22.05.2023 is accompanied by an order dated 19.05.2023 of the Child Welfare Committee-I, Nirmal Chhaya Complex, Jail Road, Hari Nagar, New Delhi, which after considering the documents available as well as the



ossification report, held the child to be 15 years of age as on 12.04.2023.

The child continues to remain in Children Home for Girls, Hari Nagar.

5. Considering the prayer made in the petition, no further orders are required to be passed. Accordingly, the present petition is disposed of alongwith the pending applications.

MANOJ KUMAR OHRI, J

OCTOBER 16, 2024

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