



2024-DHI-1816-DE



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 04th March, 2024

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W.P.(CRL) 752/2024

USHA

..... Petitioner

Through: Mr. Anwesh Madhukar, Advocate
(DHCLSC)

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, Standing
Counsel (Crl.) with Ms. Priyam
Agarwal and Mr. Abhinav
Kumar Arya, Advocates with SI
Sushil Kumar, PS Jyoti Nagar.**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.7021/2024 (exemption)**

Exemption allowed subject to all just exceptions.

W.P.(CRL) 752/2024

1. Present petition has been filed by the petitioner seeking following prayer:-

“Issue a writ of Habeas Corpus and direct the Respondent to produce the major daughter of the Petitioner (Miss ‘K’) before this Hon’ble Court.”

2. Issue notice. Learned Standing Counsel for the State accepts notice on behalf of the State and has produced the status report dated 04.03.2024. The same is taken on record.

3. As per status report, on the complaint made by mother of the missing Girl, an FIR No.96/2024 has been registered at PS Jyoti Nagar for the offence punishable under Section 363 IPC. Thereafter efforts were made to trace her out. During the investigation, the



missing girl herself came to the police station and informed that she had gone to Vrindavan with her friend and on return, she came to know that her parents had lodged an FIR regarding her being missing. Thereafter, information was given to her parents and a lady counselor was also called and her counseling was conducted where she did not allege any foul play with her during the period in question. Her medical examination was conducted vide MLC No.C-1627/26/24 and according to the doctor, no fresh visible external injuries were seen at the time of examination and the patient was not willing for L/E and internal examination.

4. We have interacted with the missing girl and her parents in Court. The missing girl states that she is approximately 17 years of age and would like to go back to her parents. The parents, on being asked, are also ready to accept her.
5. Accordingly, it is directed that the custody of the missing child shall be handed over to the petitioner after recording of her statement under Section 164 Cr.P.C.
6. In view of the above, petition is, accordingly, disposed of.
7. Order *Dasti* under the signatures of the Court Master.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

MARCH 04, 2024/st