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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 % **Date of decision: 02nd April, 2024**

+ W.P.(CRL) 1044/2024 & CRL.M.A.9857/2024

NAGENDRA SHASTRI

..... Petitioner

Through: Mr. Vishal Singh, Advocate.

versus

THE STATE GOVT. OF NCT DELHI & ORS. Respondents

Through: Mr. Sanjay Lao, Standing Counsel
 with Ms. Priyam Agarwal and Mr.
 Shivesh Kaushik, Advocates with SI
 Sandeep.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for issuance of a writ with the following prayers:-

“a) Issuing the direction under Habeas Corpus to the respondents for production of daughter of the petitioner namely smt. chetna kumari before this Hon'ble court.

b) Issue appropriate direction, thereby directing to respondents register the First Information Report and expedite investigation against the alleged person and any other erring persons with relevant penal provisions.”

2. Issue notice. Learned Standing Counsel accepts notice on behalf of the State and has produced status report dated 02.04.2024. The same is taken on record.

3. It is stated in the status report that the petitioner is father of alleged



missing girl namely Ms. Chetna. In the present petition it is stated that on 20.03.2024, the petitioner made a missing complaint of his girl named above and articles/property and bank account containing Rs. 4,00,000/-. It is alleged that daughter of the petitioner left the house along with one bag containing her clothes, other articles without informing anyone.

4. On 21.02.2024, a whatsapp message was received on the mobile phone of petitioner's son where by they came to know that Chetna had solemnized marriage at Arya Samaj Mandir Situated at backside of Tis Hazari Court on 09.01.2024 with one person namely, Krishan who is also present in Court today.

5. The petitioner has already debarred Chetna from his movable and immovable properties and claims that he and his family member would have no relation with her and that she be held accountable for her actions.

6. Since daughter of the petitioner who is present in Court, is admittedly major and has married and has reiterated before us that she wants to stay with her husband, therefore, no further order is required in the present petition. She is thus, at liberty, to go with her husband.

7. The daughter of petitioner further submits that they are residing in Burari. Accordingly, the Beat Constable/SHO, PS Burari shall share their Mobile No. with her, so that in case she apprehends any threat, she can contact them forthwith. SI Sandeep who is present in Court shall ensure and escort the daughter of petitioner and her husband to their place of residence.

8. It is, however, made clear that the parents/relatives of the petitioner's



daughter and his husband shall not indulge in any act resulting in any untoward incident and shall not create any hindrance in their lives. If petitioner feels that his daughter has misappropriated any amount, he would be at liberty to take appropriate action against her, as he may be advised.

9. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

APRIL 2, 2024/sw