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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 02nd May, 2024

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W.P.(CRL) 1153/2024**RITU RAJPUT**

..... Petitioner

Through: Mr. Abhay Kumar with Mr. Surender Tyagi and Mr. Vijay Pratap Singh, Advocates.

versus

THE STATE NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Ms. Priyam Agarwal, Mr. Abhinav Kumar Arya, Mr. Shivesh Kaushik, Advocates, Insp. Virender.

CORAM:**HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

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

“a) Issue a writ of Habeas Corpus to Respondents thereby directing them to present the petitioner's minor daughter before this hon'ble court

b) Issue appropriate writ directing the handover of custody of the petitioner's daughter to her mother.

c) Direct the police to take appropriate action against the accused person, Chetan and his family or relatives members.”

2. Issue notice. Learned Standing Counsel for the State accepts notice on behalf of the State and has produced the Status Report dated 01.05.2024

The same is taken on record.



3. The petitioner is aggrieved by the fact that on 17.02.2024, petitioner's daughter, aged around 17 years, left home. In this regard, FIR No.137/24 under Section 363 IPC at Police Station Nand Nagri was registered. Thereafter, on 27.03.2024, police learnt that the missing girl had come back to her house. IO visited her house and made queries from her.

4. Her statement was got recorded under Section 164 Cr.P.C on 28.03.2024, wherein, she stated that she went to her Mausi's house along with her friend and that on 19.03.2024, she returned to her house and during such period, nothing wrong had happened with her. After getting recorded her statement under Section 164 Cr.P.C., she was eventually handed over to petitioner.

5. Next day i.e. on 29.03.2024, the petitioner again came at PS Nand Nagri and reported that her daughter had gone missing from her house.

6. During investigation, information through WT message, Doordarshan, Akashvani, Missing cell, hue and cry notice was spread everywhere to trace out the minor girl.

7. As per status report, on 27.04.2024 the victim came to the police station herself. She was taken for medical examination and as per medical report, there was no incident of sexual assault upon her.

8. On 29.04.2024, her statement under Section 164 Cr.P.C was recorded in which she stated that her parents had pressurised her for getting married



and, therefore, she had gone to Jaipur to visit her friend and returned on 27.04.2024 and during such period also, nothing wrong had happened to her.

9. Minor daughter of petitioner submits that she would like to go back to her parents. Her mother (petitioner herein) is present in Court and is ready to take her along. Ordered accordingly.

10. In view of the above, since nothing further survives in the matter the petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

MAY 02, 2024/sw