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

+ **W.P.(CRL) 1739/2020**

MANOJ KUMAR

..... Petitioner

Through: Ms. Mumtaz Ahmed, Advocate.

versus

STATE & ORS.

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for
the State.

SI Vijay Kumar, P.S. Jaitpur.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

22.02.2024

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1. The present petition under Article 226 of the Constitution of India read with Section 482 of the CrPC seeks the following prayer:

“b). To issue the habeas corpus writ thereby directing the respondents no. 2 to produce the minor girls before this Hon'ble Court and further conduct the counselling of the minor girls who are sold out and further call the person with whom they alleged to be marry and further directed the respondent no. 2 to provide the safety and security to the minor girls;

c). Further issue the directions to the IO to register the appropriate case against the persons who marry with the minor girls as well as against the mother who had sold out those girls;

d). Further issue the directions to the respondent No. 1 to take the appropriate action against the IO/SI Madhuri PS Jaitpur who had placed the false report against the complaint of the petitioner before the court of Ld. MM;

e). Any other relief which this Hon'ble Court may deem fit and proper may also be passed in the facts and circumstance of the case to meet the ends of justice.”



2. So far as prayer 'b' is concerned, it is pointed out that order dated 12.11.2020 passed in the present petition, records as under:

“4. In view of the above, it would appear that the girls are not in 'unlawful custody' as it were, and the present petition is not one seeking the writ of habeas corpus and is accordingly maintainable before this court.”

3. Insofar as prayer 'c' is concerned, status report filed on behalf of the State records that on a complaint made by the petitioner, FIR No. 503/2023 under Sections 9/10/11 of the Prohibition of Child Marriage Act has been registered at PS Jaitpur.

4. As far as prayer 'd' is concerned, learned counsel for the petitioner submits that a representation shall be filed before the competent authority.

5. In view of the above, learned counsel for the petitioner seeks leave to withdraw the present petition, with liberty to make a representation before the competent authority with respect to prayer 'd'.

6. Leave and liberty granted.

7. The present petition is dismissed as withdrawn and disposed of accordingly.

8. Pending applications, if any, also stand disposed of.

9. Needless to state, on a representation being made by the petitioner, the same shall be decided by the competent authority expeditiously, in accordance with law.

AMIT SHARMA, J

FEBRUARY 22, 2024/K