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

% ***Date of decision: 05.02.2024***

+ **W.P.(CRL) 2609/2022**

SMT. SURAJ MUKHI

..... Petitioner

Through: Mr.Harsh Prabhakar, Adv.
(DHCLSC) with Mr.Dhruv
Chaudhary & Mr.Adeeb Ahmad,
Adv. with petitioner in person.

versus

THE STATE AND ANR.

..... Respondents

Through: Mr.Sanjay Lao, Standing Counsel
(Crl.) with Ms.Priyam Agarwal,
Mr.Abhinav Kr. Arya & Mr.Shivesh
Kaushik, Adv. for State.
Insp.Neeraj Kumar PS Sagarpur.

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 as Habeas Corpus under Article 226 of the Constitution of India seeking directions to the respondent to produce missing husband of the petitioner.
2. The petitioner is aggrieved by the fact that on 13.04.2022, sons of the petitioner, namely, Avadesh and Anil, were beaten up by the husband of the petitioner. Consequently, on 23.04.2022 in evening, the petitioner went to his other plot i.e. RZ-394A/394, Shiv Puri, Gali No.10, West Sagarpur,



Delhi and since then, did not return back.

3. Petitioner lodged a complaint vide GD No.0083A dated 24.04.2022 at police station Sagarpur. She submits that she visited the police station many times but no satisfactory response was given and the police have not made any effort to find out the whereabouts of her husband till date.

4. She further states that she apprehends that her sons Avadesh and Anil might have kidnapped their father. Even she lodged other complaints at the police station Sagarpur on 17.08.2022 and 27.09.2022.

5. As per latest status report dated 05.12.2023, as a part of inquiry, it is stated that search was made on ZIPNET and information regarding missing person was uploaded alongwith photographs on 25.04.2022. Hue and cry notice was prepared and sent to crime record office for circulation in the police stations. Sons of the petitioner Aadesh and Anil were questioned and enquired. Extensive research was made in locality of Dabri, Mohan Garden, Bilaspur and Palam village, Delhi but no clue was found.

6. In light of the aforesaid and since all possible efforts to trace the missing husband of the petitioner have been made, we direct the State to register FIR bared on both the above complaints of the petitioner and investigate the matter.

7. In view of above, we hereby dispose of the present writ petition by further directing the concerned police officials to file a monthly status report before the concerned Metropolitan Magistrate with an advance copy to the petitioner and, if any clue is found about the missing husband of the petitioner, the same shall be communicated to the petitioner.



2024:DHC:913-DE



8. With directions as aforesaid, the petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

FEBRUARY 05, 2024/ab