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

% ***Date of decision: 8th January, 2024***

+ **W.P.(CRL) 2679/2022**

MINA DEVI

..... Petitioner

Through: **Mr. Sudarshan Raja, Advocate
(DHCLSC) with Mr. Hitain Bajaj,
Advocate**

versus

STATE OF NCT OF DELHI & ORS.

.... Respondents

Through: **Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya and Mr. Shivesh
Kaushik, Advocates with Insp. Rajeev
Kumar and SI Prameet, PS Adarsh
Nagar, Delhi**

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 in the nature of Habeas Corpus under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking directions to the respondents to produce petitioner's minor daughter before this Court.

2. The petitioner is aggrieved by the fact that petitioner's daughter has been missing since 06.06.2022 and she got a missing report registered on the same day. Subsequently, an FIR No.576/2022 dated 08.06.2022, under



Section 363 IPC, was registered at Police Station Adarsh Nagar, Delhi.

3. It is averred in the petition that on 13.09.2022, two persons namely, Ajay and Rohit came to the petitioner's house and threatened her that since she had been making complaints to various authorities and legally exerting pressure upon the police and other authorities to get her daughter recovered, they would also kidnap her other two daughters if she does not abstain herself from making such complaints. Petitioner apprehends that the above said three persons, in conspiracy with each other, kidnapped her daughter. Therefore, the petitioner gave a written complaint *qua* Ajay, Rohit and their brother Mohit in the kidnapping of her daughter. However, despite her complaint, the police have failed to interrogate the above named three persons and to trace out her daughter. Hence, the present petition has been filed.

4. Learned Standing Counsel has handed over a status report dated 05.01.2024 to this Court which is taken on record. It is stated in the status report that on the complaint of Rohit, an FIR No.572/2022, under Section 363 IPC was registered *qua* missing of his brother Mohit aged 14 years on 06.06.2022. It is further stated that the family of missing girl and missing boy are living on the ground floor and third floor, respectively, of the same building. On 27.08.2023, a friend of missing boy Mohit was examined and he stated that the missing boy has not contacted him and he does not know about his whereabouts, however, it came to notice that the missing boy had an instagram account, i.e. mohitking72. However, there was no clue regarding him. One relative of missing boy Mohit namely Sunil contacted over his mobile number and transaction details of bank account of missing boy were obtained and analysed, search of missing boy and girl was also



done at the prominent places in Delhi, however, there is no clue about them. A notice dated 04.01.2024 has been sent to Cyber Police Station, North-West Delhi qua the latest details of instagram account of missing boy and reply of same is awaited.

5. In light of the aforesaid and since all possible efforts to trace petitioner's daughter have been made, we hereby dispose of the present writ petition directing concerned police officials to file quarterly status reports regularly before the concerned Metropolitan Magistrate and also to provide the same to the petitioner and, if any clue is found *qua* the missing girl, the same be communicated to the petitioner, forthwith.

6. With directions as aforesaid, the petition stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

JANUARY 8, 2024/rk