



2024:DHC:5861-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI*Date of decision: 6th August, 2024*

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W.P.(CRL) 2279/2024**VIJAY KUMAR**

.....Petitioner

Through: Petitioner in person.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) for the State with Mr.
Abhinav Kr. Arya, Mr. V.K.Singh and
Ms. V.Khanna, Advocates along with
minor daughter of the petitioner.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE AMIT SHARMA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. A letter dated 22nd July 2024 was received from one Sh. Vijay Kumar in the name of Hon'ble the Chief Justice of this Court.
3. In the said letter Sh. Vijay Kumar who is now treated as Petitioner stated that his daughter who is aged 13 years was kidnapped on 25th June 2024. Since she could not be traced, upon making enquiries, Sh. Vijay Kumar registered an **FIR No. 250/24** dated 26th June 2024 at P.S. Vijay Vihar, Delhi.
4. The same was put up before the PIL Committee of this Court. A report was sought from the concerned Police Station SHO, P.S. Vijay Vihar. A report dated 26th July 2024 was received from the concerned police station. In the said report steps taken by the concerned Police Station were given and it was

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Signing Date: 07.08.2024
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stated that investigation is being conducted. One information which was revealed in the said report was that an unknown person with a specific mobile number was suspected of having some role in the disappearance of the daughter.

5. The PIL Committee then directed, that the matter be listed as a *Habeas Corpus* petition before this Court.

6. *Vide* order dated 30th July 2024, this Court had considered the matter and sought a status report again. Both the girl and the Petitioner/father were directed to be produced before the Court today.

7. Mr. Sanjay Lao, learned Standing Counsel for the State has filed a status report dated 6th August, 2024, authored by Inspector Ajay Yadav, SHO/Vijay Vihar. As per the said status report, the missing girl aged 13 years has been recovered. She was counselled with the DCW Counsellor and her medical examination was also conducted. The statement of the girl under Section 164 of the CrPC/183 of BNSS was also recorded before the learned JMFC and she was placed at the Rescue Foundation, Kanjhawala. The report also states that she would be presented before the CWC tomorrow *i.e.*, 7th August, 2024. The said status report is taken on record.

8. The girl is present in Court today and the father/Petitioner, who had written the letter, is also present. This Court has interacted with both of them in Chamber.

9. The girl has informed this Court that she was staying in Bihar since the time she left home. She had left home after getting angry at her father having scolded her for using mobile phone too much. She had made friends with a person on Instagram. This friend had taken her to his Bua's house in Bihar where she stayed for a month. The girl further stated that she has a younger



sister and her mother has passed away but her grandmother (*Dadi*) is with the family. Though in her statement recorded under Section 164 of the CrPC/183 of BNSS she has stated that she does not wish to go back to the father, however she has categorically told us that she is now willing to come back to the father and go back home.

10. This Court has interacted with the father/Petitioner who is willing to take the child back. The girl has also interacted with the father in our presence.

11. The Court is satisfied that the girl can now be handed over to the father/Petitioner. She need not be produced before the CWC tomorrow.

Ordered accordingly.

12. The present petition is disposed of accordingly.

13. Pending application(s), if any, also stand disposed of.

PRATHIBA M. SINGH
JUDGE

AMIT SHARMA
JUDGE

AUGUST 06, 2024/sn/ks