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

+ **W.P.(CRL) 2338/2024**

VINOD

.....Petitioner

Through: Ms. Aishwarya Rao, Ms. Poonam
Raswant and Ms. Mansi Rao, Advs.
(M:9871598522) with Petitioner in
person.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl) with Ms. Priyam Agarwal and
Mr. Abhinav Kumar Arya, Advs. with
Insp. Naveen Kumar PS S.P. Badli.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **21.08.2024**

1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India read with Section 482 of the CrPC has been filed on behalf of the Petitioner-Vinod seeking issuance of a writ in the nature of habeas corpus for production of his daughter who is approximately 15 years of age before this Court. It is stated that the Petitioner's daughter went missing on 9th May, 2024.
3. A brief background of the petition is that the Petitioner's daughter had also gone missing on an earlier occasion *i.e.*, on 14th April, 2024, for the first time. Thereafter, the girl was recovered by the concerned police authorities on 17th April, 2024. However, the girl again went missing on 9th May, 2024. Hence, the present petition.



4. On 5th August, 2024 the Court had directed the girl to be traced and produced before the Court. Today, a status report dated 21st August, 2024 has been handed over in Court, as per which the investigation was conducted and it was revealed that the girl was traced out from Wazirpur area, Delhi and she claims to have been married to a boy named Vishal. She was then medically examined and produced before the Child Welfare Committee-X ('CWC'), Alipur, Delhi. Since then she has been lodged in the Child Care Institution, Alipur. The said status report has been taken on record.

5. Today, the girl has been produced in Court and wishes to go back to the said boy Vishal. However, considering the fact that the girl is 15 years of age as the date of birth in her school certificate is 10th March, 2009, such a marriage cannot be recognized. Insofar as the parents of the girl are concerned, the mother is stated to be suffering from cancer and Id. Counsel for the Petitioner who is the father of the girl submits that CWC itself is of the opinion that the girl requires counselling. Thus, on behalf of the parents, it is submitted that the girl be kept at Child Care Institution, Alipur itself.

6. In view of the fact that the girl has been recovered and the parents are unable to accept her at this stage, due to the mother's illness, let the girl remain in the Child care shelter at Child Care Institution, Alipur. Further proceedings before the CWC to continue. CWC shall interact with the girl and arrange for necessary counselling and take steps for her welfare and well-being, in accordance with law. The matter is fixed before the CWC on 5th September, 2024. The girl shall continue to remain in Child Care Institution, Alipur. Let counselling be provided to her in the said institution. If she wishes to pursue her education, the same may also be facilitated.

7. Accordingly, the petition is disposed of in the above terms.



8. Pending application(s), if any, are also disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 21, 2024*/dk/ks/pr*