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

+ **W.P.(CRL) 2345/2024**

MUNNI DEVI

.....Petitioner

Through: Mr. Sudarshan Rajan(DHCLSC), Mr.
Hitain Bajaj & Mr. Sambhav Sharma,
Advs (M: 7011168003)

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Kumar Arya, Advs.,
SI Vishal, PS AHTU/Crime Branch.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **28.11.2024**

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 Cr.P.C. has been filed on behalf of the Petitioner- Ms. Munni Devi seeking issuance of a writ in the nature of *habeas corpus* for production of her daughter, who is stated to have gone missing since 21st May, 2024.
3. As per the status report dated 4th August, 2024 which was placed on record, the girl is of 15 years of age and this is the third time she has gone missing. The details of the earlier FIRs have been mentioned in the said status report. It is further stated in the status report that the girl may have been in a relationship with a boy.



4. On 5th August, 2024, a status report was placed on record and upon hearing parties, directions to trace the girl were issued by this Court. Thereafter, the investigation of the case was transferred to the Anti Human Trafficking Unit ('AHTU'), Crime Branch, vide order dated 18th September, 2024. On 15th October, 2024, this Court was informed that the missing girl was in the company of one Mr. Aakash S/o Sh. Laxman Dass and steps were directed to be taken to trace both of them.

5. Today, the matter has been listed for further proceedings. A fresh status report dated 28th November 2024 has been handed over in Court and is taken on record. As per the status report, this Court has been informed that the girl was traced and she was produced before the Child Welfare Committee ('CWC'). She was traced from Devla village, Surajpur, Noida Gautam Budh Nagar District, UP on 23rd November, 2024 where she was found with Mr. Aakash, the suspect. They were then brought to Delhi and the custody of the girl was handed over to the lady police after which she was taken to hospital for her medical examination.

6. The statement of the girl under Section 161 of the Cr.P.C was recorded in the presence of the constable and her elder sister. As per her statement, she is unmarried and sixteen years of age. According to the girl, she had gone away from home six months ago as her parents had forced her to get married to some other person. She claims to be in a relationship with Aakash for one and half years and her medical examination revealed that she was pregnant. However, no allegation of physical assault has been raised against the suspect.

7. Further, the CWC-X, Alipur has also recorded the statement of the girl and currently she is admitted in the BSA hospital. Her statement under Section 164 of the CrPC is yet to be recorded.



8. In view of the facts, that the recovered girl is a minor, while on the other hand she is pregnant and is presently reluctant to go with the petitioner/mother, the Petitioner may approach the CWC for the custody of the girl and let CWC proceed in accordance with law.

9. Petition is disposed of.

PRATHIBA M. SINGH, J

AMIT SHARMA, J

NOVEMBER 28, 2024/gs/Am