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

+ **W.P.(CRL) 2362/2024**

ISHSATKHAR

.....Petitioner

Through: Mr. Abhinav Bajaj (DHCLSC), Mr.
Saksham Ojha, Ms. Geetashi
Chandna, Advocates
(M: 9051667855)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

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

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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13.11.2024

1. This hearing has been done through hybrid mode.
2. The present petition under Articles 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner-Sh. Ishsatkhar seeking issuance of a writ in the nature of *habeas corpus* for production of his missing son, who is stated to be of 15 years of age and has been missing since 19th June, 2024. As per the petition, the child is stated to be mentally ill and had been taking treatment from the Institute of Human Behaviour and Allied Sciences (IHBAS), Dilshad Garden.
3. Pursuant to order dated 5th August, 2024 and considering the nature of the case and well-being of the child, vide order dated 21st August, 2024, this



Court directed the present investigation to be transferred from the local police *i.e.*, P.S Sagarpur, South West Delhi to the Anti Human Trafficking Unit ('AHTU'), Crime Branch.

4. Status report dated 23rd September, 2023 shows that the investigation is ongoing, however the missing boy has not been traced.

5. On 15th October, 2024, further time was sought on behalf of the State as the search for the missing boy was still going on.

6. A further status report dated 13th November, 2024 has been filed today by the ACP, AHTU/Crime Branch stating that all the necessary steps required to trace the missing child have been taken, however, the child has yet not been traced.

7. The child is a specially-abled child and as noticed in the previous reports, various steps have been taken including searching at mental health centres such as IHBAS, Asha Kiran, etc. No clues have been received by the police. There are no leads which are available with the police.

8. The Crime Branch shall continue to make its efforts to trace the missing child and file a report with the concerned Chief Judicial Magistrate, Dwarka every 3 months.

9. The Petitioner shall continue to be involved in the search of the child and if any information is received by the Petitioner, he shall also inform the concerned IO.

10. The petition is, accordingly, disposed of with the directions that the report before the concerned CJM, Dwarka be filed and the Petitioner be also continuously kept in loop in respect of the investigation and the efforts being made. Pending applications, if any, are also disposed of.



11. Copy of today's status report be provided to the Petitioner as well.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

NOVEMBER 13, 2024*/gs/nk/bh*