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

+ **W.P.(CRL) 2549/2024 & CRL.M.A. 24870/2024**

RANI DEVI

.....Petitioner

Through: Mr. Abhijit Kumar, Adv.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, SC (Crl.) with Ms.
Priyam Agarwal and Mr. Abhinav Kr.
Arya, Advs.

WSI Shailja, PS Prasad Nagar.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **21.08.2024**

1. This hearing has been done through hybrid mode.

CRL.M.A. 24870/2024 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(CRL) 2549/2024

3. The present petition has been filed on behalf of the Petitioner- Rani Devi under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarika Surakshs Sanhita (“BNS”) seeking issuance of writ of *habeas corpus* for production of the minor daughter of the Petitioner before this Court.

4. The background of this case as stated in the petition is that on 22nd July, 2024, the minor daughter of the Petitioner went to Jhadewalan Temple, Karol Bagh to offer prayers. However, she did not return home. Thereafter, multiple efforts were made by the Petitioner and her son i.e. brother of the



missing girl to search the girl but she could not be found. It is stated that the Petitioner came to know that a man named Baiju Kumar @ Shankar uploaded a photograph of the Petitioner's daughter with a person named Manoj. The Petitioner thereafter approached the said persons seeking information about the whereabouts of her daughter but received no response. Subsequently, the Petitioner filed a complaint on 22nd July, 2024 pursuant to which an FIR no. 241/2024 was registered at PS Prasad Nagar under Section 139 of BNS on 23rd July, 2024.

5. It is the case of the Petitioner that post registration of the said FIR, no steps were taken by the police until the filing of the present petition.

6. Upon an advance copy of the petition being served upon the State, Mr. Lao, Id. Counsel appeared and has filed the status report signed by the SHO, Prasad Nagar dated 21st August, 2024.

7. As per the status report dated 21st August, 2024 the boy, who is a suspect, was working in the same factory as the Petitioner and her son. He had met the girl in that process. It is further stated that the boy had taken the girl to Jaipur and certain leads were received, subsequent to which, the police officials went to Jaipur and interrogated relatives of the boy and were informed that they had come back to Delhi. Accordingly, on 19th August, 2024 the girl was retrieved from the house of the boy's relatives' in Uttam Nagar, Delhi.

8. Upon finding the missing girl, her counselling was done at Lady Hardinge Hospital and her statement has also been recorded by the CWC. Pursuant to the recording of the statement she was placed in the shelter home at Flag Children Home, Dev Nagar, Karol Bagh and was then handed over to the mother on 20th August, 2024.



9. Today, Id. Counsel for the Petitioner submits that the Petitioner's son had to visit the police station yesterday and for several hours he was made to wait in the police station. It is also alleged that in the oral complaint, though the suspect's name was mentioned to the police officials, his name is not finding a mention in the FIR.

10. The Court has perused the case diary and is of the opinion that no further directions need to be issued. It is, however, made clear that the Petitioner or her family including her son would not be harassed in any manner by the local police.

11. Accordingly, the petition is disposed of.

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

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 21, 2024

dj/rks/pr