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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 11th September, 2024***+ **W.P.(CRL) 2824/2024 & CRL.M.A. 27546/2024****SONIA**

.....Petitioner

Through: Mr Rajendra Sahu, Mr. Syed
Nooruzzama & Mr Sameer Sharma,
Adv. (M- 9910008632)

versus

STATE (GOVT OF NCT OF DELHI) AND ORS.RespondentsThrough: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Kumar Arya, Adv. with
Insp. Pramod, HC Rahul, PS Begum
Pur.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE AMIT SHARMA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by Ms. Sonia-mother seeking production of her daughter-‘A’. The case of the Petitioner is that her daughter has been missing since the intervening night of 16th-17th July, 2024 from the house of Petitioner’s elder sister-Savita, post which a missing report was filed at PS Begumpur on 17th July, 2024.
3. It is alleged that the missing daughter’s passport has been obtained with illegal intention by the Petitioner’s sister-in-law, Manisha. As per the petition, the date of birth of the missing daughter is stated to be 23rd March, 2005, and is 19 years old.
4. Today, the missing daughter– ‘A’ has appeared virtually on the Court



link. Considering that she may have wanted to interact with the Court confidentially, a separate link was created thereafter and the matter has been taken up at 12 noon in the chamber. The Court has interacted with the missing daughter of the Petitioner. According to her, she met a boy two years ago from the same village and wanted to marry him. However, her family had objections and she was then sent to her *maasi's* house. According to her, both her own family and her aunt's family meted out ill treatment to her. After she turned 18, she got her passport made and applied online for a job in Oman. She states that she is presently working as a hotel receptionist in Muscat. She has also informed the Court that she is continuously in touch with her family including her brother and her father and exchanges messages every day.

5. The Petitioner, however, is alleging that the girl is under some pressure and she ought to be produced in the Court. The brother has also appeared and upon being asked whether he is in touch with his sister, he has voluntarily agreed that there are messages exchanged between him and his sister. However, sometimes, she does not reply to his messages.

6. A Status Report dated 11th September, 2024, has been handed over in Court by Mr. Sanjay Lao, Id. Standing Counsel (Crl.). The same has been taken on record. As per the said Status Report, the passport bearing no. Y4130972 was issued to Ms. 'A' which was verified by the Petitioner's sister-in-law (*bhabhi*) i.e., the *maami* of the missing daughter. A video dated 19th July, 2024 was also received by the Head Constable from the missing daughter, where she informed the Police that she had left the house on her own free will. Three letters dated 20th July, 2024, 2nd August, 2024 and 2nd September, 2024 were also received by the Police authorities, which stated that she has life threat from her family members due to which she does not



wish to disclose her whereabouts. The passport number was also verified through the FRRO and the FRRO has confirmed the travelling details of the girl.

7. Having heard the matter, the Court is convinced that the daughter of the Petitioner is comfortably working in Muscat and does not wish to come back to India presently, till her visa formalities are completed. She has further informed the Court that she is planning to call her family to Muscat or visit India in February, 2025.

8. Since the girl is a major and has chosen not to join her family, no further orders are called for in the present petition.

9. The Police have also reported that she is continuously in touch with the Head Constable. Let the said Head Constable be in touch with her and confirm from time to time, whether she is comfortable and safe, and inform the same to her family as well.

10. Accordingly, petition is disposed of in these terms. All pending application(s), if any, also disposed of.

PRATHIBA M. SINGH
JUDGE

AMIT SHARMA
JUDGE

SEPTEMBER 11, 2024/Rahul/ks