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

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**W.P.(CRL) 3013/2024**

**PATANJALI KUMAR**

.....Petitioner

Through: Mr. Kuldeep Jauhari, Mr. Anubhav Tyagi, Ms. Antara Mishra, Ms. Alka Nupur Singh, Ms. Manisha Yadav and Mr. Karan Ahuja Advocates (M-9536190460)

Versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel (Criminal) for the State with Mr. Abhinav Kumar Arya, Advocate.  
Insp. Kailash PS Tilak Nagar.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE AMIT SHARMA**

**ORDER**

**% 30.09.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner-Patanjali Kumar under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita ('BNSS') seeking issuance of a writ of habeas corpus for the production of his friend i.e. the missing girl-Ms. N, before the Court.
3. A brief background of the present case as stated in the petition is that the Petitioner, who claims to be a friend of Ms. N, was with her at Aerocity, Delhi on 3rd September, 2024 at about 10:50 pm. Further, on the same night, Ms. N informed the Petitioner that she did not pick up various calls from her family members who were then enquiring about her whereabouts from her relatives. Thereafter, Ms. N, went back to her Paying Guest ('PG') room in



Noida, Sector 62 at around 12:00 midnight and found her relatives to be present there. It is alleged by the Petitioner herein that the said relatives took Ms. N to her home in Delhi, where she was made to stay against her will.

4. It is further stated in the petition that during the time Ms. N was living in Delhi, she made a phone call to the Petitioner claiming that she has been kept by her family members in duress and against her will. Moreover, she is not being allowed to communicate with the Petitioner.

5. On 6th September, 2024 it is stated that Ms. N was taken to her parents house in Narwana, Haryana, post which her whereabouts were unknown to the Petitioner as also her friends. Hence, the present petition.

6. On the last date of hearing, i.e. 27<sup>th</sup> September, 2024, the Id. Standing Counsel, Mr. Sanjay Lao had informed the Court that the girl has been stationed at Shahdara and the concerned SHO had spoken to the father of the girl. The Court then directed the girl to appear today.

7. The girl along with her father are present before the Court today. The Petitioner is also present in person. The Court has interacted with the parties present in the chamber.

8. The facts that emerge from the in-chamber interaction with the parties are that the girl has completed her B.Sc from Delhi University. She is currently pursuing her Masters in Computer Application ('MCA') from the Centre for Development of Advanced Computing ('C-DAC') in Noida.

9. Further, the girl had been dropped at her college on 2<sup>nd</sup> September, 2024 and on 3<sup>rd</sup> September, 2024 evening it appears that when she had gone out with her friends including the Petitioner, she had remained *incommunicado* with her parents, which led to a situation wherein the parents apprehended some danger to her.



10. Thereafter, the parents of the girl had moved the girl to a relative's house and have been currently exploring options as to her education and her future.

11. The father of the girl states that he has no objection if his daughter studies at C-DAC, Noida to pursue her MCA. His only grievance is that the he or the mother ought to be informed of her whereabouts to ensure her safety and security.

12. Insofar as the girl's relationship with the Petitioner is concerned, the girl and the boy as also the girl's father have no objection if the respective families meet each other within the next ten days. The girl is clear that she wishes to pursue her education, presently.

13. The girl has assured the Court that in future, she would inform her family of her whereabouts, so that such a situation does not arise again. On her undertaking this, the father of the girl has no objection if she continues her studies in C-DAC, Noida.

14. Insofar as the families of the Petitioner and the girl are concerned, it is left to the girl and the boy as also their families to formalise their meetings and relationship in any manner, depending upon the desire expressed by the children.

15. Petition is disposed of with all pending applications, if any.

**PRATHIBA M. SINGH, J**

**AMIT SHARMA, J**

**SEPTEMBER 30, 2024/MR/RKS/SC**