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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 3246/2024

RAJESH KUMARI

.....Petitioner

Through: Mr. Rajiv Mishra, Ms. Suruchi Yadav,
Mr. M.S Nandal & Mr. Love
Chaudhary, Advocates alongwith
Petitioner, her husband and son in
person.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for the State with Ms. Priyam
Agarwal & Mr. Abhinav Kumar Arya,
Advocates.
Insp. Raj Malik & SI Mahendra Patel,
P.S. Narela.
The girl alongwith her husband in
person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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18.10.2024

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner - Ms. Rajesh Kumari under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha Sanhita ('BNSS') seeking issuance of a writ in the nature of *habeas corpus* for the production of her daughter, Ms. Vaishali before this Court. According to the petition, the Petitioner and her husband had admitted their daughter Ms. Vaishali to Wushu Sanda Academy for training in the sport of Wushu Sanda in late - August, 2024. She started



residing in a rented accommodation in Gautam Colony, Narela. In September, 2024, the case of the Petitioner is that the family tried to contact her but they were unable to speak to her. The Petitioner claims that one, Mr. Nikhil was a suspect who may have accompanied her daughter. Accordingly, a missing complaint was filed with SHO, P.S. Narela. Hence the present petition.

3. The advance copy of this petition has been served upon the State. Mr. Sanjay Lao, Standing Counsel (Crl.) for the State submits that after the complaint was lodged on 19th September, 2024, the girl Vaishali and the boy, Nikhil had come to the Police Station Narela on 20th September and had informed the SHO that they both had got married. The parents of the girl had also met both of them on that day. Hence, it is submitted that the present petition is not maintainable as the Petitioner have already met her daughter.

4. Today, the girl and her husband have been produced. A Status Report dated 18th October, 2024 has been handed over in Court today and the same is taken on record. The Status Report also contains the registered marriage certificate which reflects that they both got married on 20th September, 2024. The Aadhar card and PAN card of the girl have also been placed on record, which shows her date of birth as 8th August, 2006. The Court has also interacted with the Petitioner, i.e., the mother, father and brother of the girl as also the girl and her husband.

5. The girl wishes to stay in the matrimonial home along with the boy's family consisting of mother and an elder brother. She is not willing to accompany her family. The boy has undertaken to the Court that he would not have any objection if the girl continues to pursue her sports.

6. In view of the above, nothing survives in the present petition. The Investigating Officer shall make a monthly visit to the girl's matrimonial



home to ensure her well-being for at least a period of 6 months.

7. No further orders are called for in the present petition.
8. The petition is disposed of.
9. Pending application(s), if any, are also disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

OCTOBER 18, 2024/bsr/pr/Am