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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3896/2024**

PARMANAND CHOURASIA @ PARMANAND PRASAD &
ANR.Petitioners

Through: Mr. Rahul Ranjan Verma, Mr.
Parmanand Prasad & Mrs. Deepu
Devi, Advs. along with the Petitioners
in person.

versus

THE STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crml.) with Ms. Priyam Aggarwal &
Mr. Abhinav Arya, Advs. with SI
Shankar, PS Swaroop Nagar.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **23.12.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners/Parents under Articles 226 of the Constitution of India read with Section 528 of the BNSS, 2023 seeking a writ in the nature of *habeas corpus* for the production of their daughter, Ms. 'V'.
3. According to the Petitioners, their daughter had left the house on 28th September, 2024 for college and thereafter she never returned home. The Petitioners lodged a complaint in P.S. Swaroop Nagar, Outer North, Delhi, which was registered as an **FIR No. 546/2024**, under Section 140(3) of the BNS, 2023. Since the daughter was not produced, the present petition has been filed.
4. A status report dated 13th December, 2024 was handed over by Mr.



Sanjay Lao, learned Standing Counsel (Criminal) for the State on the last date of hearing. Mr. Lao submitted that investigation was undertaken in the said FIR. The mobile phone of the missing girl was initially switched off and there was an apprehension that she was kidnapped. However, in the investigation, it was revealed that a boy named Vishal, who is the cousin of the girl, had accompanied her. On the basis of CDRs of the mobile number, she was finally found in Ranchi, Jharkhand along with the family of Vishal. The statement of the girl was recorded wherein she has stated that she had gone with Vishal to Ranchi, Jharkhand and she does not wish to come back to Delhi.

5. The boy, Vishal, is stated to be the nephew of the missing girl's mother, *i.e.*, *Mausi's* son. The Petitioners/parents are present in Court and they have confirmed the identity of the boy as also his family. They have also confirmed that they had accompanied the Police when they had visited Ranchi, Jharkhand and found their daughter with Vishal.

6. On the last date *i.e.*, 13th December, 2024, the Court had after interacting telephonically with the girl directed as under:

“6. During the hearing of the case, the Investigating Officer has enabled a call with the girl. This Court enquired from the girl and Vishal's mother as to when they can come to Delhi. They have voluntarily undertaken to come to Delhi on 23rd December, 2024.

7. On the said date, on their arrival in Delhi, the Investigating Officer shall facilitate their appearance before this Court on 23rd December, 2024.”

7. The missing girl and the boy – Mr. Vishal, as also the boy's mother, have appeared before the Court. The Court has enquired with them. The girl has confirmed to the Court that she wishes to go back with Vishal. Vishal's



mother also has no objection to the wedding as per the answer to the query put by the Court. It is submitted by Mr. Lao, Sr. Standing Counsel (Criminal), that the boy – Vishal and the girl have got married.

8. It is submitted on behalf of the Petitioners that the marriage may not be valid on two grounds *i.e.*, that the boy is closely related to the girl and secondly, he is not a major.

9. In respect of this submission, the parties are left to avail of their remedies, if any, in accordance with the law.

10. Since the girl has been traced and the Petitioners have seen the girl in Court, no further orders are to be passed in this petition. The same is disposed of in these terms. All pending application(s), if any, are also disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

DECEMBER 23, 2024

Rahul/ks