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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 237/2025 & CRL.M.A. 2024/2025

SHYAMA DEVI

.....Petitioner

Through: Mr. Shubham Aggarwal, Mr. Sorabh
Dahiya & Ms. Khushboo Aggarwal,
Adv.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Priyam Agarwal
& Mr. Abinav Kumar Arya, Adv.
with Insp. Daljeet & SI Randeep, PS
Rohini North

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

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23.01.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 2024/2025 (for exemption)

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

W.P.(CRL) 237/2025

3. The present petition has been filed by Ms. Shyama Devi under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha Sanhita seeking issuance of a writ in the nature of *habeas corpus* for the production of her 17 year old daughter.

4. The Petitioner suspects that she is being illegally detained by Respondent No.3 and his family members *i.e.*, Respondent Nos. 4 to 8. According to the Petitioner, her daughter has been missing since 4th August, 2024. An FIR being FIR No. 492/2024 was also registered at PS, North



Rohini. The matter has also been taken up before the concerned Magistrate, North-West, Rohini after the petitioner had made an application for issuing search warrants under Section 102 of BNSS, 2023. Two orders have been passed in the said case but the Petitioner is not satisfied with the reports which have been filed by the Police.

5. Today, a status report dated 23rd January, 2025 has been presented before the Court by the Police stating that the Respondent No.3 is also missing from the same day. It further states that investigation has been carried out with his family members and a raid was also conducted in their permanent address at Muzaffarpur, Bihar. However, Respondent No.3 and the missing girl could not be found. The status report is taken on record.

6. The Police shall ensure that they take diligent steps including steps for checking up the bank and social media accounts of the boy and the girl and trace them in an expeditious manner.

7. The concerned Magistrate shall also supervise the investigation diligently and seek strict actions by the Police.

8. If the boy and girl are not found within a reasonable time, the Petitioner is permitted to approach this Court by way of an application.

9. A copy of this order be communicated to the concerned Magistrate, North-West, Rohini.

10. The petition is disposed of with these orders. All pending application(s), if any, are also disposed of.

PRATHIBA M. SINGH, J.

DHARMESH SHARMA, J.

JANUARY 23, 2025/Rahul/am