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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 407/2025

SH SUJIT KUMAR

.....Petitioner

Through: Mr. Jaipal and Ms. Neetu Rai, Advs.
along with Petitioner in person.

versus

THE GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crml.) with Ms. Priyam Aggarwal &
Mr. Abhinav Arya, Advs. with Insp.
Ratan Singh & SI Pawan, PS Vasant
Kunj, South.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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28.02.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner-Sujit Kumar under Article 226 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of *habeas corpus* for the production of his minor daughter, who is stated to be 17+ years of age.
3. The case of the Petitioner is that his daughter had gone missing on 2nd December, 2024. Further, the Petitioner went to the Police Station, Vasant Kunj, South to register a missing complaint. On 3rd December, 2024 an F.I.R. No. 536 dated 3rd December, 2024, under Section 137 (2) of The Bharatiya Nyaya Sanhita 2023 was registered.
4. It is the case of the Petitioner that his daughter has been illegally detained by a boy, Manish Kumar and his family *i.e.*, Respondent No. 2, 3 and 4 in the present case.



5. On the last date of hearing, *i.e.*, 6th February, 2025 the Court observed as under:

“5. A status report dated 6th February, 2025 has been placed on record as per which the Jharkhand Police have already taken various steps in this matter including conducting raids at the residence of the family of the Respondents as also other relatives. The status report is taken on record.

6. Let the girl-Ms. ‘X’ and the boy-Mr. ‘Y’ be produced before the Court on the next date.

7. If the girl and the boy are not traced, the boy’s family members shall be produced before the Court.”

6. Today, a status report dated 27th February, 2025 authored by SHO, PS Vasant Vihar, South has been handed over to the Court. The same has been taken on record.

7. As per the said status report, the concerned police officials conducted an investigation and recovered the girl from Godda Town, Jharkhand on 26th February, 2025.

8. The girl has been produced before the Court today. The parents of the girl are also present. The Court has had an in chamber interaction with the parties present.

9. During the chamber interaction, the girl submits that she was living with some relatives in Sahibganj, Jharkhand. She clarifies that she is willing to go back to her parents. Her concern is that she wants to be educated and she is currently studying B.A.(Pass) in Bharti College.

10. The parents of the girl are willing to take her back. Further, they assure the Court that they have no objection if the girl pursues her education.



11. The statement of the Girl under Section 164 CrPC be recorded before the Child Welfare Committee ('CWC').
12. The Girl has not made any allegations against the suspect. Accordingly, the CWC after recording the statement of the Girl, shall proceed in accordance with law.
13. The parents submits that they do not want to pursue the investigation proceedings as also the F.I.R that has been registered against the boy, Manish Kumar.
14. The girl shall accordingly accompany her parents. No further orders are called for in this matter. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.
15. The present order be communicated by the Registry to the concerned Child Welfare Committee for necessary information and compliance.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

FEBRUARY 28, 2025

Rahul/rks