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

+ **W.P.(CRL)-468/2025**

FAJRUDDIN

.....Petitioner

Through: Ms. Suruchi Suri, Adv.
(M:9810255518) with Petitioner in
person.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal, Mr.
Aryan Sachdeva & Mr. Abhinav Kumar
Arya, Adv. with Insp. Ravinder and
IO/HC Kamlesh PS Tigri.
Mr. K. S Choudhary and Mr. Manoj
Maurya, Adv. for R-3 & 4. (M:
8802345425) with R-3 in person.
Girl in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

% **17.02.2025**

1. This hearing has been done through hybrid mode.

CRL. M.A. ____/2025 (for early hearing) (to be numbered by Registry)

2. The present application i.e., **CRL. M.A. No.____/2025** has been handed over in Court by the Respondent, seeking early hearing of the matter as the girl has been traced. Let the said application be numbered by the Registry and taken on record.

3. The matter is being taken up for hearing. Application is disposed of.

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4. The present matter has been listed on an urgent basis as the girl has been traced.

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5. This is a petition filed on behalf of the Petitioner-Fajruddin under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *habeas corpus* for production of the Petitioner's daughter, who is stated to have gone missing on 06th February, 2025.

6. It is the case of the Petitioner that on 6th February, 2025 at around 1:00pm his daughter went missing from her home. Subsequently, on the said date, a missing person complaint had been filed at P.S. Tigri, New Delhi. However, the Petitioner's daughter could not be found. Hence, the present petition.

7. It is the allegation of the Petitioner that Respondent No. 3- Anshu Kaushik along with his mother *i.e.* Respondent No. 4 has the illegal custody of his daughter.

8. On 10th February, 2025, the State was directed to verify the suspicions raised by the Petitioner. Further, it was directed to produce the missing girl as also the Respondent Nos. 3 and 4 on the next date of hearing.

9. The matter was then taken up on 13th February, 2025. A status report dated 12th February, 2025 was placed on record. The same informed the Court that a letter had been received through speed post by PS Tigri, purportedly written by the daughter of the Petitioner, stating that she had gone with Respondent No.3 on her own free Will. The date of birth certificate of the girl was also attached to the said letter, confirming her date of birth to be 18th January, 2007.

10. On 13th February, 2025, certain leads had been received by the police and the matter was adjourned to 21st February, 2025 with a direction for production of the girl and the boy.

11. Today, the girl and the boy *i.e.*, Respondent No.3 have been produced in Court. The parents of the girl are also present before the Court. The Court has had in chamber interaction with all the parties present.



12. The girl has briefly met her parents. She submits that she was acquainted to the boy while she was attending her tuition classes. The boy's parents had also spoken to her parents. However, there was no agreement for marriage from the side of the girl's parents, therefore, she decided to leave her house.

13. Today, the girl has been again asked as to whether she would like to accompany her parents who have submitted before the Court that they are willing to get the couple married after the girl's class 11 examination is over. However, the girl expresses apprehensions and states that she does not wish to accompany her parents.

14. Under such circumstances, considering that the girl is a major, the girl and the boy are free to reside with the boy's family in Delhi. The girl has submitted that she has married the boy.

15. In view thereof, no further orders are called for in this petition. The parents of the girl have agreed and undertaken not to level any threats or make any allegations against the boy or the girl. The concerned Investigating Officer shall be in touch with the couple to ensure their well-being.

16. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of. The next date of hearing i.e. 21st February, 2025 stands cancelled.

PRATHIBA M. SINGH, J.

DHARMESH SHARMA, J.

FEBRUARY 17, 2025/dk/rks