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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1791/2025**
BHAGWAN DASPetitioner
Through: Mr. Sushil Kumar Jain, Adv.

versus

STATE (NCT)OF DELHI & ORS.Respondent
Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) for State with Mr. Abhinav
Kumar Arya, Ms. Priyan Agarwal, Mr.
Aryan Sachdeva, Advocates alongwith
Insp. Shailendra Kumar Singh & SI
Phool Karan, PS Okhla Indl. Area.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

% **ORDER**
20.06.2025

1. This hearing has been done through hybrid mode.

CRL. M.A. /2025 (to be numbered by the Registry) in
W.P.(CRL) 1791/2025

2. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS'), for issuance of a writ in the nature of *habeas corpus* thereby directing the Respondents to trace and produce the minor daughter of the Petitioner, aged 17 years, who has been missing since 01st May, 2025.

3. On the last hearing i.e., 27th May, 2025, Notice was issued in this



petition and the Respondent-State was granted the liberty to produce the minor girl before the Vacation Bench if she was traced during the vacation.

4. Today, an application is moved on behalf of the Respondent/State for urgent listing of the matter as the minor girl has been traced. The girl has been produced before the Court. The Petitioner *i.e.*, the parents of the girls are also present.

5. Status report dated 20th June, 2025 has been presented by Insp. Ranjan Kumar Singh, SHO, Okhla Industrial Area, Crime Incident area to the following effect:

“DETAILS OF INVESTIGATION:-

In continuation of the previous status report, it is further submitted that to trace the victim girl, assistance of AHTU/Crime Branch was taken and on 16/06/25, the team of AHTU/Crime Branch, Sector 16, Rohini, Delhi, consisting of HC Anuj Kumar, No. 729/CR and W/HC Sukanya No. 661/CR, recovered the victim S along with suspect Zuber @ Sameer from H. No. E-10, Metro Factory Ke Peeche Wali Gali, Jagarti Nagar, Laxmi Ganj, Gwalior, Madhya Pradesh and they were brought to PS Okhla Industrial Area, Delhi on 17/06/25. The victim, S, was medically examined on 17/06/25 at AIIMS Hospital, where she stated that she fled along with her boyfriend to a place nearby Madhya Pradesh on 1/5/25 by her wish and she reported no history of any kind of physical or sexual assault by her boyfriend Junaid.

On the same day, the statement of the victim, S, was recorded under Section 183 BNSS before the Ld. JMFC, Saket Court, where she expressed her wish to live with her parents. Subsequently, the victim was produced before the CWC, Kalkaji and she was kept at Prayas Children's Home for Girls, Tuglakabad, Delhi



The Zuber @ Sameer, has been arrested in earlier case registered regarding missing of same Victim, named S, vide case FIR No. 116/25, dated 21/01/25, U/s 137(2)/123 BNS at PS Okhla Industrial Area, Delhi and sent to Judicial Custody in Tihar Jail.

Investigation of the present case is pending and any directions from the Hon'ble Court will be meticulously complied with by the undersigned."

6. From the above, it is clear that the girl was recovered on 16th June, 2025 from Gwalior, Madhya Pradesh and was brought to the Police Station, Okhla Industrial Area, Delhi on 17th June, 2025. After the medical examination at AIIMS, her statement was also recorded under Section 183 of BNSS. She expressed her wish to live with her parents. She is presently being kept at Prayas Children's Home for Girls, Tuglakabad, Delhi. The boy in whose company she was found, has been arrested.

7. The parents of the girl are also willing to take her back, but it is submitted by Mr. Lao and Ld.counsel for the Petitioner that some counselling would be required for the girl. Considering that the Child Welfare Committee (hereinafter 'CWC') is already seized of the matter, let the girl continue to reside in Prayas Children's Home for Girls, Tuglakabad, Delhi and let the regular counselling be given to the girl. The parents may also meet the girl three times a week, if required.

8. The matter shall now be taken up on 27th June, 2025 before the CWC.

9. The parents may approach the CWC, for release of the girl to them. The CWC shall consider the said request and also interact with the girl and then pass orders in accordance with the law.



10. With the aforesaid directions, the application stands disposed of.
11. In view of the order passed in the application, the main petition being **W.P.(CRL) 1791/2025** stands disposed of.
12. The next date of hearing stands cancelled.

PRATHIBA M. SINGH
(VACATION JUDGE)

RAJNEESH KUMAR GUPTA
(VACATION JUDGE)

JUNE 20, 2025/CK/Ar.