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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1904/2025**
GUDIYA DEVIPetitioner

Through: Mr. Shubham Prajapati, Adv.

versus

THE STATE OF NCT OF DELHIRespondent

Through: Mr. Sanjay Lao, St. Counsel (Crl)
with Mr. Priyam Agarwal, Mr.
Abhinav Kr Arya and Mr. Aryan
Sachdeva with Insp. Rajeev Ranjan
and ASI Manoj Kumar. and W/HC
Suman.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **24.09.2025**

1. This case has been taken up on urgent mentioning by the learned Standing Counsel for State.
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* ("BNSS") seeking directions in the nature of *Habeas Corpus* directing the respondent to produce the minor daughter of the petitioner namely Ms. "P" before this Court.
3. *Vide* Order dated 29.07.2025, State was directed to file fresh Status Report, indicating the stage of investigation and the endeavours taken to



trace the minor daughter of the petitioner.

4. *Vide* Order dated 08.09.2025, learned Standing Counsel prayed for further time to carry out investigation. He also supplemented that during the course of investigation, the police has already got some leads with respect to the whereabouts of missing girl.

5. Fresh Status Report has been submitted during the course of proceedings and same is taken on record.

6. As per Status Report, the missing girl has been recovered and her statement under Section 183 BNSS has also been got recorded and according to Ms “P”, she had left her home with her friend Dilip. Earlier, she alongwith Dilip, reached Tamil Nadu but due to language problem, they reached Nepal. When she came to know that her family had got FIR registered, she returned to Delhi and also stated that she did not want to live with her parents.

7. Today, Ms. “P” has been produced by the State and her mother (Petitioner) is also present in Court.

8. Ms. “P” submits that she is aged about 17 and a half years old and has studied upto 9th standard. She submits that she does not want to live with her mother and wants to stay at Kasturba Gandhi National Memorial Trust, Bakhtawarpur, Delhi (Children’s home) till she attains majority.

9. This Court has interacted with her and it seems that despite being minor she is mature enough to take her own decisions. Regardless, she will be turning major in a few months since her D.O.B. as per her Aadhar Card is 01/03/2008.

10. Fact remains that nothing survives in the petition as daughter of petitioner has already been recovered and she does not want to go back to her parents. She is staying at said Children’s home as per order of Child Welfare



Committee.

11. Petition stands disposed of in aforesaid terms.
12. All pending applications, if any, also stand disposed of.
13. The next date of hearing 06.10.2025 stands cancelled.

VIVEK CHAUDHARY, J

MANOJ JAIN, J

SEPTEMBER 24, 2025/rs/nc