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

+ **W.P.(CRL) 2386/2025, CRL.M.A. 22299/2025**

SUBASH GARG

.....Petitioner

Through: In person.

versus

STATE NCT OF DELHI THROUGH SHO & ORS.Respondents

Through: Mr. Sanjay Lao, SC for State with
Mr. Tirathpal, SI, PS-Begumpur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

01.08.2025

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1. The present writ petition, filed under Article 226 of the Constitution of India, read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 482 of the Code of Criminal Procedure, 1973), seeks directions to Respondents No. 1 to 3 to protect the life and liberty of the Petitioner's daughter and to produce her before this Court and to hand over her custody to the Petitioner. The Petitioner also seeks a direction to Respondent No. 4 not to change his residential address without prior disclosure, and to furnish his mobile number and the mobile number of the Petitioner's daughter so that the Petitioner may remain in contact with her and be informed of her well-being.

2. The Petitioner had lodged a missing report concerning his daughter on 7th July, 2025 at P.S. Begumpur. He submits that despite lodging the complaint, no concrete action has been taken by the police. It is further



submitted that the officials at P.S. Begumpur had merely informed him that his daughter had married Respondent No. 4 and that they were not inclined to intervene in the matter. Concerned for the safety, security, and well-being of his daughter, the Petitioner has invoked the jurisdiction of this Court.

3. Mr. Sanjay Lao, Standing Counsel for the State, informs the Court that the Petitioner's daughter has been traced and her statement has been recorded, wherein she has affirmed that she is married to Respondent No. 4 and is living with him of her own free will. She has further stated that she does not wish to remain in contact with the Petitioner. A copy of the marriage certificate and the daughter's statement has been handed over across the board and taken on record. A copy has also been provided to the Petitioner.

4. The Petitioner, who is present in person, submits that he has apprehensions that his daughter is under the influence of Respondent No. 4 and is not speaking the truth. Considering the same, a telephonic conversation was facilitated between the Petitioner and his daughter through the Investigating Officer (IO). Additionally, Petitioner's daughter joined the proceedings through video conferencing and confirmed her statement recorded by the IO. This Court interacted with her, during which she clearly reiterated that she is married to Respondent No. 4 and does not wish to return to her parental home. Her husband also appeared through video conferencing and submitted that the Petitioner has extended threats to them and misbehaved with his mother, and hence they do not wish to have any contact with him.

5. Nonetheless, keeping in mind the Petitioner's concerns, it is directed that the IO and the counsellor designated at the Police Station shall



accompany the Petitioner to the residence where Petitioner's daughter is residing with her husband, and shall facilitate a brief interaction between them. The interaction shall take place strictly in the presence of the IO, so as to avoid any unpleasant situation. However, in the event that the daughter reiterates her unwillingness to maintain contact with the Petitioner, she shall not be compelled to leave the company of Respondent No. 4.

6. With the above directions, the petition is disposed of with pending application.

SANJEEV NARULA, J

AUGUST 1, 2025

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