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

+ **W.P.(CRL) 3041/2025**

VINITA AND ANR

.....Petitioners

Through: Ms. Prachi Tomar and Ms. Vanshika,
Advocates.

versus

STATE GOVT OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, standing counsel for
the state along with Mr. Abhinav Arya
and Mr. Aryan Sachdeva, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.09.2025

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1. The present petition 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 and 2 to ensure protection of the lives and liberty of the Petitioners, and directions to concerned officials to determine the age of Petitioner No. 1.

2. The Petitioners claim that they met in 2022 and developed a relationship, which met with hostility and threats from Respondents No. 3 and 4, who are family members of Petitioner No. 1. Petitioner No. 1 specifically alleges that she has been subjected to physical assault, harassment, and threats by her family members. Petitioner No. 2 also alleges he was physically assaulted by the family of Petitioner No. 1 and continues to face threats. The



Petitioners assert that due to these threats, they left their respective homes and fear for their life and liberty. They allege that despite reporting these incidents to the police, adequate protection has not been provided.

3. Petitioner No. 1 asserts that her date of birth is 10th August 2006, and that she is 19 years old. She emphasises that her official records, including Aadhaar and school documents, do not correctly reflect her date of birth. She further states that she has voluntarily left her family of her own free will and is currently residing with a relative of Petitioner No. 2 in Jharkhand, in the company of Petitioner No. 2.

4. The State, on the other hand, has pointed out that an FIR No. 336/2025 has been registered at P.S. Mansarovar based on a complaint filed by the mother of Petitioner No. 1 under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023.

5. Mr. Sanjay Lao, SC for the State, submits that according to school records, Petitioner No. 1 is a minor, approximately 17 years of age. In such circumstances, the Court is of the opinion that the matter requires investigation in accordance with the FIR.

6. Counsel for Petitioner No. 1 submits that the Petitioner is willing to cooperate with the investigation and has requested that a bone ossification test be conducted to verify her age.

7. In the opinion of the Court, the question of whether such a test is necessary is to be determined by the Investigating Officer. Nevertheless, having regard to the facts presented, the State is directed to immediately produce Petitioner No. 1 before the Child Welfare Committee (CWC), Shahdara, and ensure that adequate facilities are made available for her support.



8. Mr. Lao further submits that the Investigating Officer will record the statement of Petitioner No. 1 under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, before the concerned Magistrate as part of the investigation in FIR No. 336/2025.

9. In view of the above, no further directions are considered necessary at this stage. Nonetheless, the State is directed to ensure the safety and security of Petitioners No. 1 and 2, particularly in light of the allegations made against Respondents No. 3 and 4.

10. Mr. Lao submits that the SHO of the concerned Police Station shall provide adequate protection to the Petitioners in case the need so arises.

11. It is made clear that since notice has not been issued to Respondents No. 3 and 4 and they have not been heard, the Court expresses no opinion on the veracity of the allegations made against them by the Petitioners.

12. The Investigating Officer shall proceed with the investigation in accordance with law.

13. With the above directions, the present writ petition is disposed of along with pending application.

SANJEEV NARULA, J

SEPTEMBER 18, 2025/MK