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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 4016/2024**

KISHAN CHAUHANPetitioner

Through: Mr. Moin Akhtar, Advocate.
versus

STATE NCT OF DELHI AND ORSRespondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) along with Ms. Priyam
Agarwal & Mr. Abhinav Kumar Arya,
Advs. with Insp. Manoj, SI Suresh
Kumar Meena & ASI Ram Mehar, PS
Usman Pur.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **10.03.2025**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed on behalf of the Petitioner-Kishan Chauhan under Article 226 of the Constitution of India read with Section 528 of the BNSS seeking issuance of a writ in the nature of *habeas corpus* for the production of his sister, aged about 19 years, who is stated to be missing since 3rd October, 2024.
3. As per the Petitioner, his sister had been abducted by Respondent No. 5 and his associates on 3rd October, 2024. Accordingly, the Petitioner filed a complaint and an **FIR No. 0546/2024** was registered under Sections 140(3)/3(5) of the BNS at PS New Usmanpur, Delhi.
4. The matter was first taken up on 23rd December, 2024. On the said date, the Court was informed that on 9th October, 2024, a letter had been received by the DCP North-East, Delhi, purportedly hand-written by the missing girl,



stating that she had left her home on her own wishes as her parents were forcing her to marry someone against her will.

5. On the last date of hearing *i.e.* 18th February, 2025 a status report dated 14th February, 2025 was placed on record. As per the said report, the missing girl had filed a writ petition being ***Writ - C No. 36908/2024*** in the Allahabad High Court seeking protection from the said High Court, apprehending threat to her life in view of the marriage against the wishes of the parents. Additionally, on the said date, it was stated that the police are in the process of tracing the missing girl, through this information.

6. On the last date of hearing, the Court upon learning about the petition filed before the Allahabad High Court, issued the following directions:

“4. While the Delhi Police is also further investigating this matter, the Petitioner is free to appear before the Allahabad High Court in the said writ petition and obtain further information which may be available.

5. Let the advocates representing the missing girl in the said case before the Allahabad High Court i.e., Mr. Abhishek Tripathi (A/A1252/2023) and Mr. Ankit Mishra (A/A0593/2021), be also enquired from in order to trace the missing girl.”

7. Today, a status report dated 10th March 2025 has been filed by the Delhi Police under the signatures of Insp. Ramesh Kalsan, P.S. New Usmanpur, Delhi. A perusal of the status report reveals that a letter has been received from the missing Girl on 14th February, 2025 at PS New Usmanpur, Delhi, along with a marriage certificate substantiating the marriage between the missing girl and Respondent No. 5, Munish.

8. The concerned Investigating Officer (*‘IO’*) is also stated to have spoken to the missing girl on call wherein she intimated the IO about the said



marriage. The relevant portions of the status report are set out below:

“2. It is further submitted that sincere efforts have made to trace the victim girl Sonia @ Sweta Aged: About 18 Years 10 Months, during investigation it came to know that the above mentioned girl Sonia @ Sweta got married with Munish S/o Gyan Singh R/o C-44/225 Gali No.15 Sudamapuri Gamri Delhi, on 13.02.2025 at ARYA SAMAJ VEDIC VIVAH MANDAL (REGD.), B-229, New Sanjay Amar Colony, Near Dr. Hedgewar Hospital, Vishwash Nagar, Shahdara Delhi-32 (copy of certified marriage certificate and other documents annexed here with.).

3. That on 14.02.2025, intimation of marriage and one hand written application of Sonia @ Sweta received at PS New Usmanpur, Delhi (copy of intimation, marriage certificate and copy of registered envelope annexed here with.)

4. On 28.02.2025, IO has called on mobile 8368991876 then he talked with victim girl Sonia @ Sweta, during conversation she told that she got married with Munish S/o Gyan Singh R/ C-44/225 Gali No.15 Sudamapuri Gamri Delhi, on 13.02.2025 at ARYA SAMAJ VEDIC VIVAH MANDAL (REGD.), B-229, New Sanjay Amar Colony, Near Dr. Hedgewar Hospital, Vishwash Nagar, Shahdara Delhi-32. She further told she has also intimated to her sister Sheetal on her whatsapp number. Sincere efforts has made to recover the girl but could not be recovered. She assured that she will come on NDOH i.e.10.03.2025 before the Hon'ble Court of Delhi.”

9. The couple i.e. the missing girl and the Respondent No. 5 have appeared before the Court virtually. The Respondent No. 5 logged in on virtual proceedings under the name of ‘Monu Pal’. He submits that the name Monu Pal is his own name and his email address is monupalmonupal29@gmail.com.



10. It is further submitted that the girl is a major. The girl and the boy informed the Court that their date of birth is 7th December, 2005 and 1st November, 2004 respectively.

11. Upon being queried as to where she got married to the Resp. No. 5, the girl submits that she got married near Karkardooma Courts, Delhi. The name of the lawyer accompanying them during the marriage is one Mr. Pawan. The certificate of marriage has also been filed along with the status report.

12. The Girl submits that she wishes to live with her husband- the Respondent No.5.

13. Accordingly, no further orders are called for in this petition as the girl is a major and she has got married and is living with her husband on her own volition.

14. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MARCH 10, 2025

Rahul/rks