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

\# **CNR No. DLHC010475252026**

\+ W.P.(CRL) 3103/2026

TETRI ORAIN .....Petitioner

Through: Mr.Abhiram Venugopal, Mr.Vinod Kumar Singh, Mr.Sailesh Gupta, Mr.Asif Iqbal and Mr.Amit Kumar, Advs. along with the petitioner in person

versus

STATE OF DELHI AND ORS .....Respondents

Through: Mr.Sanjay Lao, Sr. Adv. with Mr.Aman Usman, APP, Mr.Abhinav Kr. Arya, Mr.Aryan Sachdeva and Ms.Priyam Agarwal, Advs. for State/R-1 to R-3 and R-5 with Insp. Bahem and SI Praveen, P.S. Subhash Place

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 01.10.2026

1. This petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking issuance of a Writ in the nature of Habeas Corpus, directing the respondents to produce Ms.XXX, the minor daughter of the petitioner.

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2. In the petition, it is stated that in the first week of July, 2026, a trafficker, named Beronica, trafficked the minor girl from her home in the State of Jharkhand to Delhi. She was handed over to an individual at Subhash Place, Delhi from where she ran away and reached the railway station. The Government Railway Police, seeing the minor girl alone, handed over her custody to the Police Station- Subhash Place, which, in turn, produced her before the Child Welfare Committee. Pursuant to the Order dated 01.08.2026 passed by the Child Welfare Committee (CWC), the child has been placed in a Shelter Home, namely, Rescue Foundation Delhi, Jeeta Pehalawan Marg, Delhi.

3. The petitioner states that in spite of repeated attempts, the custody of the child has not been restored with the petitioner.

4. Issue notice.

5. Notice is accepted by Mr.Aman Usman, the learned APP for the State.

6. Mr.Sanjay Lao, the learned senior counsel appearing for the respondent nos. 1 to 3 and 5, hands over a copy of the Status Report dated 01.10.2026, which, *inter alia*, states that on receipt of a call at Police Station-Subhash Place, regarding a girl being allegedly confined in a room, the said place was checked and inquiries were made from the occupants. Thereafter, a call was made to the mobile phone of the girl, during which she stated that she, with the consent of her parents, had come to Delhi on around 10.07.2026 along with a person known to her, namely, Beronica, for the purpose of work and now wanted to return home. The girl, after her medical examination,

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was produced before the CWC and pursuant to its direction, has been placed in the Shelter Home. The Status Report states that as far as the petitioner is concerned, she had not made any complaint earlier of the girl being missing.

7. Having considered the contentions of the petitioner and the Status Report, we are of the opinion that as the CWC, which is the competent authority under the Juvenile Justice (Care and Protection of Children) Act, 2015, is seized of the issue concerning the welfare of the child, therefore, it would be advisable to leave the said question for it to determine.

8. The learned counsel for the petitioner has stated that the Social Investigation Report for Children in Need of Care and Protection has been submitted to the CWC on 02.09.2026, however, no further direction has been passed thereon. He also refers to the Letter dated 21.09.2026 issued by the District Child Protection Officer, Khunti, requesting the Nodal Officer, Integrated Rehabilitation-cum-Resource Centre, New Delhi to take further action for rehabilitation of the girl.

9. Given the above, we dispose of this petition by requesting the CWC to expeditiously decide on the welfare of the child and the measures to be taken for her rehabilitation and social re-integration.

10. We make it clear that we have not expressed any opinion on the manner in which the same is to be done and the same shall be determined by the CWC in accordance with law.

11. The decision on the welfare of the child be taken by the CWC within a period of ten (10) days of receipt of copy of this order and the same be also provided to the petitioner and her learned counsel.

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12. The petition is disposed of in the above terms.

13. *Dasti* under the signatures of the Court Master.

NAVIN CHAWLA, J

ARUN BHARDWAJ, J

OCTOBER 1, 2026/sg/hn

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