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

+ **W.P. (CRL) 481/2021**

MEERA DEVI

..... Petitioner

Through: Mr. Gaurav Gupta, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Rahul Mehra, Standing Counsel
(Criminal) with Mr. Chaitanya
Gosain and Mr. Amanpreet Singh,
Advocates along with Inps. K.P. Sah
SHO P.S.: Swaroop Nagar.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.03.2021

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The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

The present *habeas corpus* petition under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure, 1973 instituted on behalf of the petitioner prays as follows:

“A. Issue a writ, order, or direction, in the nature of Habeas Corpus, directing the Respondent to produce the Petitioner’s minor daughter, namely, Ms. Nandani Mishra;

B. Issue a writ, order, or direction, in the nature of Mandamus, or any other appropriate Writ, directing the Respondent to disclose the steps taken for investigating the First Information Report dated 03.10.2019, lodged with Swaroop Nagar Police Station vide F.I.R. No. 0413/2019, concerning the

- Petitioner's minor daughter, namely Ms. Nandani Mishra, who has been missing since 26.09.2019;*
- C. Issue directions for transfer of the investigation of the First Information Report dated 03.10.2019, lodged with Swaroop Nagar Police Station vide F.I.R. No. 0413/2019, concerning the Petitioner's minor daughter, namely Ms. Nandani Mishra, who has been missing since 26.09.2019 to an independent/specialised investigating agency, i.e. Anti-Human Trafficking Unit of Delhi Police;*
- D. Pass any other orders or direction, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

Issue notice.

Mr. Rahul Mehra, learned Standing Counsel (Criminal) accepts notice on behalf of Government of NCT of Delhi.

In view of the circumstance that the Delhi Police has been unable to unearth any clue with regard to the location of Ms. Nandani Mishra, the daughter of the petitioner, since 26.09.2019, when she was first reported to be missing, we consider it appropriate to transfer the investigation into FIR No. 413/2019 registered under section 363 of Indian Penal Code 1860 at P.S.: Swaroop Nagar, New Delhi to the Anti Human Trafficking Unit (AHTU), Crime Branch forthwith.

The DCP, AHTU Crime Branch shall set-up a Special Investigating Team (SIT) expeditiously and intensify efforts to locate, recover and produce Ms. Nandani Mishra, the petitioner's missing daughter, before this Court at the earliest. It is further directed that the SIT formed shall be personally supervised by the DCP, AHTU Crime Branch.

The DCP, AHTU Crime Branch shall also file a detailed status report, authored by him, detailing the steps taken by them to locate and

recover the missing daughter of the petitioner since 26.09.2019, on or before the next date of hearing, with advance copy to learned counsel appearing on behalf of the petitioner.

Renotify on 19.03.2021.

SIDDHARTH MRIDUL, J

ANUP JAIRAM BHAMBHANI, J

MARCH 03, 2021/dn

[Click here to check corrigendum, if any](#)