



\$~38

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 221/2024 & CM APPL. 3294/2024, CM APPL. 3323/2024**

SARITA SHARMA KACHWAL Petitioner

Through: Ms. Neha Rai with Mr. Mukesh Kumar, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mrs. Amrita Prakash, CGSC for UOI with Mr. Vishal Ashwani Mehta, Advocate.

Mr. Sanjay Lao, Standing Counsel (Crl.) with Ms. Priyam Agarwal, Mr. Abhinav Kumar Arya and Mr. Shivesh Kaushik, Advocates. Mr. Rajesh Kumar, SPP with Ms. Mishika Pandita, Advocate for CBI.

Inspr. Babu Lal and SI Sanju, PS Palam Village.

Mr. Shailendra Bhardwaj, Advocate for respondent Nos.3, 6 and 7.

Mr. Santosh Kumar Tripathi, Standing Counsel (Civil), GNCD, Mr. Arun Panwar, Mr. Pradyumn Rao, Mr. Utkarsh Singh, Mr. Kartik Sharma, Mr. Prashansa Sharma, Mr. Rishabh Srivastava and Ms. Nikita Vir, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

22.01.2024

%

1. Issue notice.

W.P.(CRL) 221/2024

1



2. Learned Standing Counsel accepts the same and seeks to file status report. The same is taken on record.
3. The officer of the Police Station Palam Village has also produced respondent No.6 (daughter of petitioner) in the Court.
4. It is evident from the status report dated 22.01.2024 that the respondent No.6 herself has filed complaints against the petitioner/her mother, Maternal Uncle – Mr. Suresh Sharma and Maternal Aunt – Ms. Santosh Sharma. In her complaints, she has claimed herself to be an adult and of 18 years of age her date of birth being 17.11.2005. She reportedly completed her 12th standard in Science from Coimbatore and then started pursuing Graphics Designing Course from Sasi Creative Institute of Design College, Coimbatore.
5. She further stated to the police that she had been following the spiritual studies of teachings being given at Adhaytmik Vishwa Vidhyalaya for the last five years and joined the said Ashram situated at RZF-RZF-768/15, Gali No.08, Near Kali Mata Mandir, Raj Nagar-II, Palam Colony ND on 03.12.2023. According to her, the petitioner/her mother and other relatives are against her such decision. She claimed that she had even talked to her mother over phone and informed her that she had voluntarily joined the said Ashram at Delhi and also sent her e-mail informing the same but her mother threatened that she along with her maternal uncle and aunt would take her home from the said Ashram.
6. Learned counsel appearing on behalf of CBI and learned Addl.



P.P. for the State have stated that two FIRs bearing FIR No.RC/DST/2018/s/0001 under Sections 376(2)(n)/506/344/34 and FIR No.RC/DST/2018/s/0002 under Sections 376(2)(n)/506 IPC have already been registered against the founder/In-charge of the said Ashram who is absconding. It is stated by learned counsel that CBI, with the help of Interpol, is making all possible efforts to trace him.

7. Adhaytmik Vishwa Vidhyalaya situated at Palam Colony is reportedly having only 4-5 girls including respondent No.6. Since there is an FIR registered for serious offences against the in-charge of the said Ashram, who is absconding, we, hereby, direct the State to inspect the said ashram along with SDM and DCP concerned and status report be filed highlighting the living conditions available inside said Ashram.

8. Re-notify on 24th January, 2024.

9. State is again directed to produce respondent No.6 before this Court on the next date of hearing. We may also add that before us, she reiterated that she was voluntarily living in the Ashram and did not want to go back to her mother.

10. Order Dasti under the signatures of the Court Master.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

JANUARY 22, 2024/st