



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION (HABEAS CORPUS) NO.11 OF 2026

BETWEEN:

RASIM REHMAN
S/O ERABHIM
AGE ABOUT 41 YEARS
R/AT.1206A, 13TH FLOOR
CONFIDENT ANTLIA III
SARJAPURA ATTIBELE ROAD
NEXT TO ST. PHILOMENA ENGLISH SCHOOL
SARJAPURA, BENGALURU
KARNATAKA-562 125

...PETITIONER

(BY SRI. SIRAJUDDIN AHMED, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. COMMISSIONER OF POLICE
BENGALURU CITY No.01
INFANTRY ROAD
BENGALURU-560 001

Digitally
signed by
RAKSHA
Location:
High Court
of
Karnataka



3. THE SHO, BELLANDUR P.S.
37, SARJAPUR MAIN ROAD
AMBLIPURA PWD QUARTERS
1ST SECTOR, BELLANDUR
BENGALURU, KARNATAKA-560 103
4. SANTOSH GOWDAR
S/O NOT KNOWN
R/AT. No.58/22, KAMAKYA LAYOUT
3RD STAGE, BANASHANKARI
BENGALURU-560 085
5. SMT. RANI DEVI
W/O JITENDRA KUMAR
AGED ABOUT 54 YEARS
No.311, PLOT No.61
JAIMALHAR NAGAR
NEAR KANDOBA MANDIR
PUNE, MAHARASHTRA-411 047
AMENDED V.C.O. DATED 11.03.2026

...RESPONDENTS

KHUSHBU KAMARI JHA
AGED ABOUT 26 YEARS
ROOM No.401, 4TH FLOOR
ASHRITA HOME, OUTER RING ROAD
BESIDE UDUPI AATITHYA
OPP. TO CENTRO MALL
BELLANDUR, BENGALURU-560 103

...DETENUE

(BY SRI. P. THEJESH, HCGP FOR R1 TO R3;
SRI. KRISHNA KUMAR K, ADVOCATE FOR R4;
SRI. SUYOG HERELE, ADVOCATE FOR R5;
SRI. LAXMINARAYAN N. HEGDE, ADVOCATE FOR DETENUE)

THIS WP(HC) IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT
OF HABEAS CORPUS OR ANY OTHER APPROPRIATE WRIT,



ORDER OR DIRECTION, DIRECTING RESPONDENT Nos.2 AND 3 TO PRODUCE THE DETENUE - KHUSHBU KUMARI JHA BEFORE THIS COURT SET HER FREE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

We have heard Shri. Sirajuddin Ahmed, learned counsel appearing for the petitioner, Shri. Thejesh P, learned High Court Government Pleader appearing for respondents No.1 to 3, Shri. Krishna Kumar K, learned counsel appearing for respondent No.4, Shri. Suyog Herele, learned counsel appearing for respondent No.5 and Shri. Laxminarayan N. Hegde, learned counsel appearing for respondent No.6. We have also interacted with the alleged detainee as well as Mr. Rasim Rehman, the petitioner.



2. The alleged detainee informs us that she was in a One Stop Center for the past ten days and has had the occasion to think very deeply about her situation. She submits that she is clear in her mind and desires to accompany the petitioner. She further submits that some of her personal belongings and documents are with her parents and the Police may be requested to get the documents and personal effects for her.

3. The petitioner as well as the alleged detainee has informed us that they intend to give a notice of their intended marriage and to solemnize their marriage under the Special Marriage Act, 1954.

4. Having considered the contentions advanced and having interacted with the detainee as well as the petitioner for a considerable time, we are of the opinion that the detainee is a sound-minded 26 years old woman and is well aware of what she is doing.



5. In the above circumstances, the detinue is set at liberty to accompany the petitioner, if she so wishes. The marriage under the Special Marriage Act shall be registered without delay. The Police shall consider any other request made by the detinue including ensuring the security of both the petitioner and the detinue.

6. The Writ Petition (Habeas Corpus) stands ***disposed of*** as above.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**