

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (HABEAS CORPUS) No. 24 of 2017**

Bijesh Kumar Baghel S/o Shri Raj Kumar Baghel, Aged About 22 Years, R/o Village Amsena, P. S. And Tahsil Arang, District Raipur, Chhattisgarh. .

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Department Of Home Ministry (Police), Mahanadi Bhawan, Raipur Chhattisgarh.
2. Superintendent Of Police, Raipur, District Raipur, Chhattisgarh.
3. Station House Officer, Police Station Arang, District Raipur, Chhattisgarh.
4. Rom Lal Sahu R/o Village Amsena, P. S. And Tahsil Arang, District Raipur, Chhattisgarh.
5. Devendra S/o Rom Lal Sahu, R/o Village Amsena, P. S. And Tahsil Arang, District Raipur, Chhattisgarh.
6. Mohan Sahu S/o Sukalu Ram Sahu, Aged About 35 Years R/o Village Amsena, P. S. And Tahsil Arang, District Raipur, Chhattisgarh.
7. Smt. Reshma Baghel W/o Brijesh Kumar Baghel, Aged About 19 Years D/o Rom Lal Sahu, R/o Village Amsena, P. S. And Tahsil Arang, District Raipur Chhattisgarh.

---- **Respondents**

For Petitioner	: Smt. Hamida Siddiqui, Advocate
For State	: Shri R.K. Gupta, Deputy Advocate General
For Resp. Nos. 4 to 6	: Shri Rakesh Dubey, Advocate

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Sharad Kumar Gupta, Judge****Order On Board****Per Thottathil B. Radhakrishnan, Chief Justice****22/09/2017**

1. Following *Rule Nisi* issued by this Court in this writ petition on

20/09/2017, the alleged detenu Reshma is presented before us. She is accompanied by her parents, brother and other near relatives.

2. The petitioner has contended in the writ petition that he married Reshma. We see that Reshma, going by Annexure P/1 has passed the High School Certificate Examination following regular course of study in a Government Higher Secondary School and she cleared that Examination in Second Division. Though the petitioner has relied on Annexure P/2 and photographs which are placed collectively as Annexure P/3 and Annexure P/4 marriage certificate, Reshma has denied any relationship with the petitioner and disowns any matrimonial tie as could be recognized by us in this jurisdiction. Annexure P/4 and other documents, by themselves, are insufficient for us to hold conclusively as to any relationship which would be sufficient enough for us to even persuade Reshma to accompany the petitioner when she has clearly stated before us that she is unwilling to go with him. She is a major. Interacting with Reshma, we find that she is well oriented. She is clear in her ideas. She has asserted before us, quite modestly, but firmly, that she would not go with the petitioner, but would go with her parents. We record her such statement made to us and dismiss this petition. Reshma, therefore, is free to go with her parents as she has chosen to do so.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge