

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPHC No. 9 of 2018**

Shrestha Kushwaha S/o Shri Arun Kushwaha, Aged About 29 Years R/o Ward No. 31, Imlipara, Police Station City Kotwali, Tehsil Ambikapur, District Sarguja Chhattisgarh.Presently Residing At Flat No. B - 502, Virasat Apartment, Vijay Nagar Chowk, Avanti Vihar Raipur, Tehsil Raipur, Distrit Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Home Department (Police), Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.,
2. Director General Of Police, Raipur, District Raipur Chhattisgarh.,
3. Inspector General Of Police, Raipur Range, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Superintendent Of Police, Raipur, District Raipur Chhattisgarh.
5. Station House Officer, Police Station Telibandha, Tehsil Raipur, District Raipur Chhattisgarh.
6. State Of Uttar Pradesh, Through Secretary, Home Department (Police), Mantralaya, Lucknow, District Lucknow (U.P.), District : Lucknow, Uttar Pradesh
7. Director General Of Police, Lucknow, District Lucknow (U.P.), District : Lucknow, Uttar Pradesh
8. Superintendent Of Police, Rae Bareili, District Rae Bareili (U.P.),
9. Station House officer Unchahaar, District Rae Bareili (U.P.)

10. Ankit Singh, S/o Dinesh Singh, Aged About 27 Years R/o Ward No. 2, Unchahaar, Surajmal Colony, District Rae Bareili (U.P.),
11. Anuj Singh, S/o Dinesh Singh, Aged About 20 Years R/o Ward No. 2, Unchahaar, Surajmal Colony, District Rae Bareili (U.P.),
12. Dinesh Singh Aged About 50 Years R/o Ward No. 2, Unchahaar, Surajmal Colony, District Rae - Bareili (U.P.),
13. Smt. Kusum Singh W/o Dinesh Singh, Aged About 44 Years R/o Ward No. 2, Unchahaar, Surajmal Colony, District Rae Bareili (U.P.),
14. Smt. Prachi Singh, W/o Shrestha Kushwaha, Aged About 23 Years D/o Dinesh Singh, R/o Ward No. 2, Unchahaar, Surajmal Colony, District Rae Bareili (U.P.).....(After Marriage, R/o Flat No. B - 502, Virasat Apartment, Vijay Nagar Chowk Avanti Vihar Raipur, Tehsil Raipur, District Raipur Chhattisgarh.)

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For Petitioner	: Shri Surfaraj Khan, Advocate
For State	: Shri R.K. Gupta, Deputy Advocate General
For respondent No.12	: Shri Mahendra 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

12/04/2018

1. This writ petition is filed alleging that the 14th respondent Prachi Singh D/o 13th respondent Smt. Kusum Singh and 12th respondent Dinesh Singh is illegally under the detention of her parents. The petitioner has pleaded that he has married her. Issuance of writ in the nature of Habeas Corpus is sought for.

2. Following earlier orders, efforts taken by the Police showed that the alleged detainee was admitted to Nur Manzil Psychiatric Centre Lalbagh, Lucknow. Today, she is present before us along with her parents and other near relatives. The petitioner is also present.
3. We interacted with the parents of the alleged detainee.
4. We are told by the learned counsel for the petitioner that his client is apprehensive that the alleged detainee is now under the influence of some medication and any interaction with her may be later on. We do not see that we need to defer interaction with the alleged detainee who is before us. She is alert. Nothing, persuaded us to defer our interaction with her. We also interacted with the alleged detainee.
5. The alleged detainee Prachi Singh is, going by her statement, a graduate in Commerce and has a Post Graduate qualification in Business Administration. She is stated to be gainfully employed. Our interaction with her has shown, to our satisfaction, that she is well oriented. During the course of our interaction, we have noticed that she was communicating coherently and was also having constantly consistent attention to our presence and to also our words. We do not find any reason to assume that the statements made by her to us in the open Court are in any manner on the basis of any undue influence or under any state of medication. She has candidly told us that she denounces the allegation of the petitioner that they were married. We have shown her the photographs presented by the petitioner along with

writ petition. She says that there was an incident, following which she does not know what had actually happened during those days. She also denounces the certificate of marriage produced by the petitioner. We record her statements. We are however, certain that the alleged detainee Prachi Singh is not under the illegal custody of her parents and has freely expressed her will to go with her parents and relatives. Recording that statement of Prachi Singh, we hold that there is no ground to further proceed with the matter.

6. There is no reason or any ground to issue any order or direction as sought for. Hence this writ petition is closed recording what has aforesaid.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge