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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (HC) No. 23 of 2019

Vishnu Singh Thakur S/o Late Dheeraj Singh Thakur, Aged about 47 years, R/o Ward No. 47, Chingrajpara, Police Station Sarkanda, Tahsil and District Biaspur, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through: The Secretary, Department of Home Affairs, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh.
2. The Inspector General of Police, Bilaspur, District Bilaspur, Chhattisgarh.
3. The Superintendent of Police, District Bilaspur, Chhattisgarh.
4. The Station House Officer, Police Station, Sarkanda, Bilaspur, District Bilaspur, Chhattisgarh.
5. Yash Dubey S/o Vijay Dubey R/o Chatidih, Bilaspur, Police Station Sarkanda, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	: Shri Hemant Kesharwani, Advocate.
For Respondent No. 1 to 4 /State	: Shri Gagan Tiwari, Deputy Government Advocate.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per Parth Prateem Sahu, J.

24/09/2019

1. Petitioner who is father of detenue filed this petition mentioning that he lodge complaint to the concerned Police Station on 01.06.2019 that his daughter aged about 17 years was missing from her house, but even after lapse of one month, the whereabout of her daughter could not be traced out. Petitioner suspected that his daughter might have been taken by Respondent No.5.

2. Pursuant to the various orders passed by this Court, the detenue has been produced by the Police before this Court.

3. We have interacted with the detenue on which she has stated that her date of birth is 31.05.2002. From her version, it is apparent that she is a minor. She also states that she eloped alongwith Respondent No. 5. The Police recovered the detenue and the Respondent No. 5 on 08.09.2019 from Dindori, Madhya Pradesh.

4. Learned counsel for the State/Respondents No. 1 to 4 submits that Respondent No. 5 has been taken into custody and has been put behind the bars. Offence has also been registered against him under the relevant provisions of the Indian Penal Code and it will be taken to its logical conclusion by the prosecution.

5. The detenue stated that she wants to go with her father i.e. the Petitioner who is also present in the Court.

6. In view of the above mentioned facts and circumstances looking to the age as also her will, we direct that the detenue shall be sent back to her home in the company of her father.

7. With the aforesaid direction, this petition stands disposed of.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Parth Prateem Sahu)
JUDGE

Amit