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HIGH COURT OF CHHATTISGARH, BILASPUR**WPHC No. 26 of 2019**

- Vijay Kumar Janbandhu, S/o Mahesh Janbandhu, aged about 24 years, Caste Mahar, R/o Village Aamatola, Police Station Ambagarh Chowki, District- Rajnandgaon (C.G.).

---- Petitioner

Versus

1. State of Chhattisgarh Through: Secretary Home Department, Mantralaya, Mahandi Bhawan, Naya Raipur, District Raipur (C.G.)
2. Inspector General of Police, Range Rajnandgaon, District- Rajnandgaon (C.G.).
3. Superintendent of Police- Rajnandgaon, District- Rajnandgaon (C.G.).
4. Station House Officer, Police Station Ambagarh Chowki, District- Rajnandgaon (C.G.).

---- Respondents

For Petitioner : Shri Punit Ruparel, Advocate,
For Respondent/State : Shri Gagan Tiwari, Dy. G. A.

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya
Judgment on Board by Justice Prashant Kumar Mishra

16/09/2019

This petition for issuance of writ in the nature of Habeas Corpus under Article 226 of the Constitution of India has been preferred for production of detainee- Pavita Sahu with whom the petitioner has allegedly performed marriage at a temple at village- Baramundi Police Station- Ambagarh Chowki, District- Rajnandgaon on 10.07.2019.

2. Shri Gagan Tiwari learned State counsel would submit that the detinue is present before this Court on being produced by the concerned police.
3. Shri Aditiya Bharawaj, Advocate would appear for the detinue.
4. We have enquired from the detinue as to her wishes particularly for the reason that her age is shown to be 21 years in para one of the writ petition. Pavita Sahu would state that her date of birth is 03.03.1998. Thus, she is more than 20 years of age. She would state before us that she is not willing to reside with the petitioner. She desires to live with her parents.
5. In view of the statement of the detinue-Pavita Sahu, the Habeas Corpus petition stands disposed of.

Sd/-

Prashant Kumar Mishra
Judge

Sd/-

Gautam Chourdiya
Judge