HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Habeas Corpus Petition No. 182/2020

Bhera Ram S/o Heera Ji, aged 55 years, resident of village Surajpura. P.S. Mandphiya District Chittorgarh, Rajasthan

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary – Ministry of Home Affairs, Government Of Rajasthan, Jaipur.
2. Superintendent Of Police, Chittorgarh.
3. The SHO, Police Station Mandphiya, District Chittorgarh
4. Kalu S/o Ramlal, by caste Gadri, resident of Nadakhera, P.S. Mandphiya, District Chittorgarh.

----Respondents

For Petitioner(s)	:	Mr. M.L. Bishnoi, through VC
For Respondent(s)	:	Mr. Farzand Ali, AAG-cum-GA, assisted by Shri Abhishek Purohit Mr.Ghanshyam Singh, SHO, P.S. Mandphiya Ms. Manju, MFC 1640

HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE DEVENDRA KACHHAWAHA
Order

17/12/2020

The corpus Mst. 'I' has been produced in the Court by Mr. Ghanshyam Singh, SHO, P.S. Mandphiya and Ms. Manju, MFC 1640. We conferred with her. The corpus appears to be a mature girl. Though, date of birth of the corpus, as recorded in the school, is 06.06.2003. She stated that she had gone away with one Kalu Gadri of her own free will and volition and that she is desirous of living with him only. However, as the corpus has still not attained the age of majority as per her recorded date of birth, we are of the opinion that she cannot be permitted to go with the said Kalu Gadri. The petitioner, being the father of the corpus,

present in the Court, has submitted an undertaking that he shall not marry the corpus against her desire and before she attains the age of majority. As soon as she becomes major, she shall be allowed to marry the boy she loves.

Thus, we hereby direct that the corpus shall be safely escorted to her father's house. The SHO, P.S. Mandphiya District Chittorgarh, Rajasthan shall instruct a competent police officer to make monthly visit to the house of the petitioner so as to ensure safety and well being of the corpus. It shall be ensured that she is not married off against her desire.

With the above direction, the habeas corpus petition is allowed. Rule is discharged.

(DEVENDRA KACHHAWAHA),J **(SANDEEP MEHTA),J**

-Bharti/-

RAJASTHAN HIGH COURT
सत्यमेव जयते