HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Habeas Corpus Petition No. 199/2020

Sharwan Jat S/o Shri Dhula Ram, Aged About 21 Years, R/o Kharwaliya, Khunkhuna, Tehsil Didwana, District Nagaur.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary Department Of Home And Affairs, Government Of Rajasthan, Secretariat, Jaipur.
2. The Superintendent Of Police, Nagaur.
3. The Station House Officer, Police Station Khunkhuna.
4. Gopal Lal S/o Shri Chetan Das, R/o Kharwaliya, Khunkhuna, Tehsil Didwana, District Nagaur.

----Respondents

For Petitioner(s)	:	Mr. Vipin Makad, through VC
For Respondent(s)	:	Mr. Farzand Ali, AAG-cum-GA, assisted by Shri Abhishek Purohit Mr. Niranjan Patel for Mr. Sushil Solanki, through VC Mr. Hari Ram, SI, SHO, PS Khunkhuna, Nagaur Ms. Phooli Kumari, MFC No.1994, P.S. Khunkhuna, Nagaur

---

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

Order

16/12/2020

The corpus Mst. 'S' has been produced before us by Ms. Phooli Kumari, MFC No.1994, P.S. Khunkhuna, Nagaur and Mr. Hari Ram, SI, SHO, PS Khunkhuna, Nagaur. We conferred with her in camera. She apparently seems to be under a great deal of pressure. She expressed that her date of birth is 17.06.2000. Upon eliciting her desire where she wants to stay, she

categorically stated that she is involved in a relationship with the present petitioner. Both of them wanted to marry each other with the blessings of their parents, but her father and mother were not agreeable and, thus, she could not marry the petitioner. She stated that she has been confined by her parents at her maternal grandfather's house and that now, she is desirous of going with the present petitioner and marrying him.

In view of the explicit desire expressed by the corpus that she wants to go and live with the petitioner, we hereby direct that she shall be set at liberty and safely escorted to the place desired by her. The SHO concerned shall ensure the safety of the lives of the petitioner and the corpus so long as the threat perception to their lives persists.

The per-empatory cost of Rs.50,000/-deposited by the petitioner shall be reimbursed.

The habeas corpus petition is disposed of accordingly.

RAJASTHAN HIGH COURT
सत्यमेव जयते

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

17-Bharti/-