IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE RAVI MALIMATH,

CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 2001 of 2024

BETWEEN:-

MAJJA MEDA S/O SHRI BADIYA MEDA, AGED ABOUT 51 YEARS, OCCUPATION: LABOR R/O VILLAGE RAJPURA TEHSIL MEGHNAGAR DISTT. JHABUA (MADHYA PRADESH)

.....PETITIONER

(BY SHRI BHEEMSEN SONI - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH, THROUGH SUPERINTENDENT OF POLICE, OFFICE OF THE SUPERINTENDENT OF POLICE, JHABUA, DISTT. JHABUA (MADHYA PRADESH)**

2. **STATION HOUSE OFFICER/THANA INCHARGE, POLICE THANDLA, JHABUA, DISTRICT JHABUA (MADHYA PRADESH)**

3. **DEVCHAND BARIYA, S/O SHRI MAGAN BARIYA, R / O GRAM PIPLIYAPADA, CHENPURA, TEHSIL MEGHNAGAR DIST. JHABUA (MADHYA PRADESH)**

4. **MAGAN BARIYA, R/O GRAM PIPLIYAPADA, CHENPURA TEHSIL MEGHNAGAR DIST. JHABUA (MADHYA PRADESH)**

5. **DITA, S/O SHRI KODARIYA GRAM CHENPURA TEHSIL MEGHNAGAR DIST. JHABUA (MADHYA PRADESH)**

6. **RADU S/O SHRI PIDIYA, R/O GRAM CHENPURA, TEHSIL MEGHNAGAR, DIST. JHABUA (MADHYA**

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PRADESH)

7. KANTU S/O SHRI PIDIYA, R/O GRAM CHENPURA, TEHSIL MEGHNAGAR, DIST. JHABUA (MADHYA PRADESH)

.....RESPONDENTS

(SHRI GAURAV SINGH CHOUHAN - GOVERNMENT ADVOCATE FOR RESPONDENTS NO.1 AND 2)

This petition coming on for orders this day, ***Hon'ble Shri Justice Ravi Malimath, Chief Justice*** *passed the following:*

ORDER

This petition is filed seeking for a writ of habeas corpus for production of the daughter of the petitioner. It is his case that respondents No.3 to 7 have taken away his daughter. That an F.I.R. vide Crime No.604 of 2023 has been lodged at Police Station Thadla, District Jhabua.

Under these circumstances, when the petitioner is aware where his daughter is, then he has to appropriately pursue his remedy before the governmental authorities where he has filed. A writ of habeas corpus cannot be entertained when the petitioner himself knows where his daughter is. Hence, by granting liberty to pursue his remedies in the F.I.R. that has been registered, the petition is disposed off.

(RAVI MALIMATH)
CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
JUDGE

psm

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