IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 6317 of 2026

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GANGA MANDAL S/O RAMSOGARTH MANDAL

Versus

STATE OF GUJARAT & ORS.

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Appearance:
MR. DEV A. PATEL(19305) for the Applicant(s) No. 1
NOTICE SERVED for the Respondent(s) No. 2,3,4
MR UTKARSH SHARMA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI DESAI

Date : 15/06/2026

ORAL ORDER

(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)

1. Today the proceedings were conducted in-camera. The corpus is personally present.

2. The captioned petition is filed seeking direction to the respondents to produce the corpus Manisha Kumari. This court had issued notice to the respondents on 04.05.2026.

3. During the course of hearing, submissions were made that in some of the public documents (including the Aadhar Card) the date of birth of the corpus is 18.04.2007 and considering the date of birth of the corpus, she has attained majority. In another set of documents namely the birth-certificate the date of birth mentioned is 02.03.2009. Thus, in view of lack of clarity of age, the corpus was required to continue to stay in the Special Home for Girls, Rajkot. On 11.06.2026, the father of the corpus i.e. the respondent no. 4 since was not represented by any lawyer, the matter was kept

today acceding his request for time. The clarity as regards the age of the corpus was still an issue and as a result, the corpus was allowed to continue to stay in the Special Home for Girls, Rajkot.

4. Today, Mr.Sanjay Prajapati, learned Advocate states that he has received instructions to appear for respondent no. 4 and shall be filing his Vakalatnama. Registry is directed to accept the Vakalatnama that may be filed by the learned Advocate.

5. Today, submission is made on behalf of the respondent no. 4 that he has no objection if the corpus wishes to join the petitioner.

6. Discernibly, in the documents produced on record namely the Aadhar card, school leaving certificate, transfer certificate etc. the date of birth of the corpus is mentioned as 18.04.2007. While in the birth-certificate, the date of birth is mentioned as 02.03.2009. Notably, the birth-certificate is issued on 23.03.2010; hence, it is difficult to fathom as to how and on what basis the entry has been incorporated in the birth-certificate. In view of the lack of clarity the age determination test was conducted and the medical officer of P.D.U Hospital, Rajkot has issued the certificate. Relevant excerpts from the age determination certificate read thus:

> "Radiological bone age shall between 16-19 years. As per dental surgeon opinion dental age could be around 14-16 years.
>
> From the radiological Examination of Shri Ms. Manishakumari D/o Dilipbhai being the above stated identification of sic. on mark, I am of the opinion that the individual is aged about 14-19 (Fourteen to Nineteen) years on the day of 23/2/2026

examination i.e. Dt. 23-2-2026."

7. Therefore, based on the certificate issued by the medical officer of P.D.U. Hospital, Rajkot the age of the corpus is ranging between 14 years to 19 years (Fourteen years to Nineteen Years). The said certificate is directed to be taken on record.

8. In view of the above referred documents and the age determination certificate, without entering into the merits/demerits of age, we deem it appropriate to allow the corpus to join the petitioner.

9. The father-in-law of the corpus- Mr.Ramsogarth Mandal is personally present and is identified by Mr.Dev Patel, learned Advocate appearing for the petitioner. The Special Home for Girls, Rajkot is directed to permit the corpus to go with Mr.Ramsogarth Mandal, after following requisite formalities and due verification.

10. In view of the above, Mr.Dev Patel, learned Advocate appearing for the petitioner states that since the grievance of the petitioner is redressed, no further orders are necessitated and the petition may be disposed of.

11. The captioned petition is disposed of accordingly.

(SANGEETA K. VISHEN,J)

(UTKARSH THAKORBHAI DESAI, J)

SINDHU NAIR

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: SINDHU UNNIKRISHNAN NAIR(HC01395), PRIVATE SECRETARY, at High Court of Gujarat on 16/06/2026 12:06:55