



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Habeas Corpus Petition No. 274/2021

Suresh Kumar S/o Badri Lal, Aged About 69 Years, Resident Of
69, Circuit House Road, Near Pareek Bhawan, Prajapat Colony,
Rai Ka Bagh, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary Of Home
Affairs Department, Govt. Of Rajasthan, Jaipur.
2. The Superintendent Of Police, Jodhpur.
3. The S.H.O. Police Station Udaimandir, Jodhpur.
4. Ujjawal Kumar S/o Lalit Kumar, Resident Of BJS Colony
Mohanpura, Gali No. 4, Jodhpur.
5. Smt. Savitri W/o Lalit Kumar, Resident Of BJS Colony
Mohanpura, Gali No. 4, Jodhpur.
6. Ashok Kumar S/o Unknown, Resident Of BJS Colony
Mohanpura, Gali No. 4, Jodhpur.

-----Respondents

For Petitioner(s)	:	Mr. Devendra Mahalana
For Respondent(s)	:	Mr. Anil Joshi, AAG Mr. Ladu Singh, ASI, Ms. Sarita – Female Constable -1019 P.S. Udai Mandir District Jodhpur, (East)

HON'BLE MR. JUSTICE VIJAY BISHNOI
HON'BLE MR. JUSTICE SUDESH BANSAL
Order

28/10/2021

This Habeas Corpus Petition is filed by the petitioner alleging
that his 19 years' old daughter has illegally been detained by the
private respondents, therefore, a direction be issued to the
respondent - State to produce her before this Court.

On 21.10.2021, this Court while taking into consideration the
factual report produced by learned Government Advocate wherein,
it is stated that the petitioner's daughter was appeared before the



respondents and indicated that she wanted to live with the respondent No.4, directed the respondent-State to produce the corpus before this Court on 28.10.2021.

Pursuant to the directions given by this Court on 21.10.2021, the corpus is produced before this Court today. We have interacted with the corpus and she has specifically stated that she wants to go and live with the respondent No.4 only on her own free will.

As per the petitioner himself as well as the school documents of the corpus, her date of birth is 24.03.2002 and, as such, she is major. The corpus has refused to go with her parents and even deny to meet them. The corpus has also specifically stated that she is not under any illegal detention of anybody and is residing with respondent No.4 on her own free will. The corpus has, thus, prayed that she may be provided police protection as her parents and other family members are threatening her and the respondent No.4 with dire consequences.

Taking into consideration the above facts and circumstances of case, particularly the fact that the petitioner's daughter is major and she is not under any illegal detention of anybody, we find no merit in this Habeas Corpus Petition and the same is hereby dismissed.

However, Mr. Anil Joshi, learned AAG is directed to instruct the police authorities to facilitate the return of the corpus to the place of her own choice and also to take necessary steps for providing adequate police protection, if occasion so arises.

(SUDESH BANSAL),J

26-Ravi Kh/-

(VIJAY BISHNOI),J