

(2025) 11 GUJ CK 1912
In the Gujarat High Court

Case No : R/Special Criminal Application (Habeas Corpus) No. 15071 Of 2025

Jignesh Dilipkumar Barot

APPELLANT

Vs

State Of Gujarat & Ors.

RESPONDENT

Date of Decision : 26-11-2025

Acts Referred:

Citation : (2025) 11 GUJ CK 1912

Hon'ble Judges : N.S.Sanjay Gowda, J;D. M. Vyas, J

Bench : Division Bench

Advocate : Dhairya J Patel, Nitiraj Desai, Monali H Bhatt

Final Decision : Disposed Of

Judgement

N.S.Sanjay Gowda, J

1. Petitioner- Jignesh Dilipkumar Barot has approached this Court for issuance of a direction to the respondents to cause production of his wife Priyanka Vashrambhai Rabari.

2. The petitioner has contended that he and Priyanka got married on 3.11.2025 and this marriage was also registered. A certification of registration of marriage is also annexed to the writ petition. He, thereafter, states that the maternal uncle of Priyanka had come to his residence and had taken away Priyanka forcibly and despite his attempt to contact her, he was unable to do so and on the other hand, received threats to his life. He, therefore, contends that he is entitled to issuance of writ of Habeas Corpus.

3. On notice being ordered, the State secured the presence of corpus Priyanka and presented her before us today as also yesterday, i.e. on 25.11.2025.

4. Corpus Priyanka submitted that she was threatened by her parents as she got married against their will and also went on to state that his father's relatives were threatening both her as well as her husband.

5. Father of corpus Priyanka, i.e. respondent No.6 Vashrambhai Rabari appeared before us yesterday and stated that he has no objection if his daughter continues her marital life with the petitioner. He also stated that he would keep his close relatives present before this Court so as to allay the apprehensions of Priyanka that they would be exposed from the physical harm.
6. Pursuant to the said order, the respondent No.6 along with his two brothers and also the uncle of the corpus had appeared before us and all of them jointly state that they have accepted the marriage of Priyanka and they would not come in the way of her marital life in any manner. They have also jointly filed an undertaking in the form of an affidavit that they would not give any kind of threat to Priyanka or her husband and they would not make any attempt to cause any kind of physical harm to them. It is also categorically stated that they have no objection if Priyanka continues her marriage with the petitioner.
7. Corpus Priyanka states that she wishes to stay with the petitioner and she does not want to continue to stay at Nari Kendra where she had voluntarily gone.
8. It is also forthcoming from our interaction with all the concerned that Priyanka is aged 24 years and, therefore, has a right in law to marry a person of her choice and live with him.
9. In the light of the above development, we direct the concerned authorities at Nari Kendra to release Priyanka forthwith.
10. We also make it clear that respondent No.6 and his relatives, as per their undertaking, will not in any way directly or indirectly interfere with the marital life of Priyanka and her husband.
11. Since Priyanka has now been ordered to be set at liberty, this writ petition stands DISPOSED OF.