

(2023) 06 KAR CK 0019

In the Karnataka High Court

Case No : Writ Petition Habeas Corpus No. 48 Of 2023

Shivakumar L.R

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 12-06-2023

Acts Referred:

Citation : (2023) 06 KAR CK 0019

Hon'ble Judges : Alok Aradhe, J; Anant Ramanath Hegde, J

Bench : Division Bench

Advocate : Ravi Shankar K, S.V. Hegde

Final Decision : Disposed Of

Judgement

Alok Aradhe, J

1. Notice on behalf of respondents is accepted by Mr V S Hegde, learned SPP-II on behalf of respondents 1 to 3.
2. Sri Ravi Shankar K, learned counsel for the petitioner. Sri S V Hegde, SPP along with Sri Thejesh P, HCGP for respondents 1 to 3.
3. This petition has been filed seeking writ of Habeas Corpus for production of Kumari Spandashree S, daughter of the petitioner.
4. Learned SPP has produced Kumari Spandashree S, who is present before this Court.
5. This Court interacted with Kumari Spandashree S, who informed that her date of birth is 15.12.2006 and she is a student of I year Pre-University in Government College, New Town, Bhadravathi.
6. It is not in dispute that on the basis of the complaint filed by the petitioner, a case against one Praveen, with whom the minor daughter of the petitioner had eloped, has been registered vide Crime No.68/23 of New Town Police Station, Bhadravathi. It is also not in dispute that the aforesaid Praveen is in custody. It is

not in dispute that Kumari Spandashree S is in the custody of Juvenile Justice Board.

7. Taking into account the fact that Kumari Spandashree S, daughter of the petitioner is a minor, it is directed that Station House Officer of New Town Police Station, Bhadravathi shall handover the custody of Kumari Spandashree S to the petitioner, who is the father of Kumari Spandashree S and is entitled to her custody in law.

Accordingly, petition is disposed of.