
(2009) 11 RAJ CK 0081

In the Rajasthan High Court

Case No : Civil Habeas Corpus (Writ) Petition No. 9295 of 2009

Smt. Sita

APPELLANT

Vs

The State of Rajasthan and Others

RESPONDENT

Date of Decision : 20-11-2009

Acts Referred:

Citation : (2009) 11 RAJ CK 0081

Hon'ble Judges : D.N. Thanvi, J;Arvind Mohanlal Kapadia, J

Bench : Division Bench

Judgement

A.M. Kapadia, J.—In pursuance to the order dated 18.09.2009, today Kumari Chuki D/o Jeevanmal Suthar R/o Near Madhu Ji Ka Bera, Phalodi has been produced before us by Mr. Satyendra Pal Singh, Dy.S.P., Phalodi, District Jodhpur.

2. It has been submitted by learned Additional Government Advocate that a criminal case has also been registered at the Police Station Phalodi, District Jodhpur vide FIR No. 167/2009 on the complaint of brother of the corpus Gpal Suthar, in which interrogation is also being made from the non-petitioner No. 5 Udaram from whose custody the corpus was recovered.

3. We have ascertained the willingness of the corpus, who is said to be minor of 17 years of age and willing to reside with her parents, particularly with her mother Smt. Sita, who is also present in the Court today. The corpus has further stated that as she was kidnapped by the non-petitioner No. 5 Udaram from whose custody she was recovered, therefore, now she may be sent under police protection with her mother Sita.

4. In view of the fact that corpus is willing to go with her mother and the matter is under the investigation by police, we dispose of this habeas corpus petition with direction to the Dy.S.P., Phalodi to provide necessary protection to the corpus to reside with her parents.