

Hariram Vs. State of Raj. and ors

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SooperKanoon Citation : sooperkanoon.com/1098050

Court : Rajasthan Jodhpur

Decided On : Nov-18-2013

Appellant : Hariram

Respondent : State of Raj. and ors

Judgement :

DB Habeas Corpus Petition No.13516/2013 1 73 D.B.Habeas Corpus Petition No.13516/2013 Hari Ram versus State of Rajasthan & ORS.Date of Order :: 18th November 2013 HON'BLE Mr.JUSTICE DINESH MAHESHWARI HON'BLE Mr.JUSTICE V.K.MATHUR Mr.H.S.Balot, for the petitioner.

Mr.B.K.Mehar, Government Counsel.

Mr.Himmat Singh, Co.Sirohi present in person.

Ms.Nisha, Constable, present in person.

<><><> This petition has been filed seeking a writ of habeas corpus while alleging illegal detention of the respondent No.6, who is said to have contacted marriage with the present petitioner.

In this petition, notices were issued on 08.11.2013 with the directions to the learned Government Counsel to produce the person concerned on the next date.

Today, however, the petitioner has appeared accompanied by a lady, said to be the respondent No.6.

The lady concerned, in response to our queries, has preliminarily stated that she was living at some place near Jodhpur and that she left the company of her father on her own.

However, the learned Government Counsel has pointed out that the father of the respondent No.6 has lodged an F.I.R.on 15.11.2013 at Mahila Police Station, Sirohi alleging abduction of his daughter, whereupon an F.I.R.for offences under Sections 363 and 366 IPC has been registered at the said Mahila Police Station, Sirohi bearing No.51 dated 15.11.2013.

Having regard to the circumstances of the case, though nothing further appears requisite so far the prayer for a writ of habeas corpus is concerned, but on the facts as stated before us it DB Habeas Corpus Petition No.13516/2013 2 appears rather necessary that the concerned lady be produced before the jurisdictional Magistrate for recording of her statement as also for taking of further directions in the said F.I.R.(No.51 dated 15.11.2013) of Mahila Police Station, Sirohi.

The Co.Sirohi Mr.Himmat Singh who is present in Court has, at our ordeRs.requisitioned the services of lady constable Ms.Nisha for the purpose.

The CO concerned and the lady constable shall ensure safe passage of the respondent No.6 to the Court of concerned Magistrate and shall make a request before the concerned Magistrate for recording of her statement and issuing further directions today itself.

Subject to the observations and requirements foregoing and with no further orders being required herein, this petition for writ of habeas corpus stands disposed of.

(V.K.MATHUR),J.

(DINESH MAHESHWARI),J.

cpgoyal/-