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Manphool Singh Vs. State (Habeas Corpus) and ors

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Court : Rajasthan Jodhpur

Decided On : Nov-23-2012

Appellant : Manphool Singh

Respondent : State (Habeas Corpus) and ors

Judgement :
-1- DB Habeas Corpus Petition No.12067/2012 Manphool Singh v. State of Rajasthan & Ors. Date of Order ::

23. d November, 2012 HON'BLE MR.JUSTICE GOVIND MATHUR HON'BLE MR.JUSTICE NARENDRA KUMAR JAIN-II Mr. Pradeep Choudhary, for the petitioner. Mr. K.R.Bishnoi, Government Advocate. Mr. Vineet Jain, for the respondents. .... This Habeas Corpus petition is preferred by Shri Manphool Singh son of Bhagirath, aged 25 years, resident of 29 STG, Tehsil Pilibanga, District Hanumangarh to have a direction for the respondents No.1 2 and 3 to produce corpus Ms. Jaishree before the Court. As per the averments contained contained in the petition, the petitioner and Ms. Jaishree fall in love during the period from the year 2009 to 2011. They entered into a wedlock on 2.11.2012. Subsequent thereto on 2.11.2012 itself the respondent No.4, father of Ms. Jaishree, forcibly took her to his home and detained there illegally. With the factual foundation noticed above, this Court issued a notice to the respondents No.2 and 3 vide order dated 7.11.2012 with a direction to produce the corpus before the Court. In pursuant to the order aforesaid the Second Officer, Police Station Gangashahar, District Bikaner produced the corpus before us on 20.11.2012. In the -2- order

dated 20.11.2012 while noticing that the corpus appears to be tutored and the answers given by her do not bear confidence, we ordered to lodge her at Nari Niketan, Jodhpur uptil 23.11.2012. Today Ms. Jaishree is produced before us from Nari Niketan, Jodhpur. On asking, she stated that she want to stay with Manphool Singh, the petitioner, with whom she entered into a wedlock as stated in the petition. She has accepted the photographs annexed with the writ petition as genuine. She has also stated that her date of birth is 28.8.1992 and as such she is major. Having considered all the facts of the case and in view of the definite statement made by Ms. Jaishree, we deem it appropriate to leave her to move as per her own free will and wishes. If she desires to proceed with Shri Manphool Singh, who is present before us, the respondent State shall provide necessary protection to her till she reaches to her destination. The Habeas Corpus Petition stands disposed of accordingly. (NARENDRA KUMAR JAIN-II),J.

(GOVIND MATHUR),J.

kkm/ps

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