

(2023) 12 MP CK 0072

Madhya Pradesh High Court (Gwalior Bench)

Case No: Writ Petition No. 28740 Of 2023

Nasseer Khan

APPELLANT

Vs

State Of Madhya Pradesh And
Others

RESPONDENT

Date of Decision: Dec. 15, 2023

Acts Referred:

- Indian Penal Code, 1860 - Section 363

Hon'ble Judges: Milind Ramesh Phadke, J; Amar Nath (Kesharwani), J

Bench: Division Bench

Advocate: D.S. Rajawat, Rajesh Shukla

Final Decision: Disposed Of

Judgement

Milind Ramesh Phadke, J

Petitioner-father is before this Court in the instant Writ Petition under Article 226 of the Constitution of India in shape of Habeas Corpus.

An FIR was lodged by mother of the corpus, wherein it was stated that on 30.12.2023 at about 10:30 in the morning her daughter (corpus) went to

school but did not return back and she apprehends that one Chandu Gujrati had taken her daughter (corpus) on false pretext, therefore, FIR under

section 363 of IPC was registered at Crime No.655/2023 in Police Station Padav, Gwalior. Since the corpus could not be recovered the present

Habeas Corpus petition has been filed by the petitioner-father of the corpus and in pursuance to the filing of the aforesaid petition the corpus has been recovered.

Today corpus is present in person.

Upon asking the corpus she categorically stated that she wants to go along with her parents who are also present in person.

In wake of categorical statement made by the corpus, this Court directs S.I. Sanjeeta Minj and A.S.I. Maniram Singh, Police Station Padav to allow corpus to go along with her parents.

With the aforesaid direction, instant petition stands disposed of.