

(2024) 03 RAJ CK 0027

Rajasthan High Court

Case No: Habeas Corpus Petition No. 93 Of 2024

Dariya And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision: March 5, 2024

Acts Referred:

- Constitution Of India, 1950 - Article 226

Hon'ble Judges: Dinesh Mehta, J; Yogendra Kumar Purohit, J

Bench: Division Bench

Advocate: Milap Chopra, RS Bhati, Anil Joshi, Rajat Chhapparwal

Final Decision: Dismissed

Judgement

1. By way of filing this writ petition, the petitioners have prayed that their daughter be produced.
2. Mr. Chopra, learned counsel for the petitioners submitted that daughter of the petitioners 'P' has gone away for which missing person report has been lodged on 30.12.2023, yet no action has been taken by the police and she has not been traced out.
3. On perusal of the memo of the petition, it is clear that neither any allegation of abduction or detention has been levelled against any person nor has any person been impleaded as a party-respondent.
4. Be that as it may.
5. Petitioners' daughter is admittedly a major girl and free to move as per her own choice and if she is missing, than the police is duty bound to proceed in pursuance of the complaint that has been filed by the petitioners.
6. The habeas corpus petition under Article 226 of Constitution of India is not maintainable in the present factual matrix, more particularly on the basis of inadequate/incomplete particulars and pleadings.
7. Petition is thus dismissed summarily.