

(2024) 03 RAJ CK 0028

Rajasthan High Court

Case No: Habeas Corpus Petition No. 60 Of 2024

Salim

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision: March 5, 2024

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

Bench: Division Bench

Advocate: Rakesh Gupta, Anil Joshi, Rajesh Kumar, Nainu, Lady

Final Decision: Disposed Of

Judgement

1. The corpus has been produced before us by the Police.
2. It is informed by Mr. Anil Joshi, learned Government Advocate cum Additional Advocate General that the corpus has been brought to the Court from her parents' house.
3. We interacted with the corpus and her mother. Corpus (aged 27 years) expressed her desire to live with the petitioner – Salim.
4. The Investigating Officer present in the Court informs that the corpus was recovered in Mandore, Jodhpur when she was with the petitioner, whereafter, she was handed over to her parents.
5. In view of the above facts, we are of the view that the corpus is not in illegal custody of respondent No.5, since she is his legally wedded wife.
6. Be that as it may.
7. Since the corpus is major, she is free to go as per her own wishes.
8. The present petition is disposed of accordingly
9. The demand draft/Bankers Cheque of ₹25,000/- deposited by learned counsel for the petitioner pursuant to the directions given by the Court on 16.02.2024 be returned to the petitioner or to learned counsel for the petitioner.