

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH, JAIPUR

O R D E R

D.B. Habeas Corpus Petition No.64 of 2010

Sunil Kumar Mahajan son of Shri Babu Lal
VERSUS
The State of Rajasthan and Others

Date of Order ::: 30/07/2010

Hon'ble Mr. Justice Dalip Singh
Hon'ble Mr. Justice S.S. Kothari

None present.

Per Court .

Shri Sunil Kumar Mahajan, the petitioner, Vikas son of Shri Vinod Kumawat, the respondent No.4, Shri Surendra Singh, S.H.O. Police Station Singhana, District Jhunjhunu and Kumari Priyanka daughter of the Petitioner Shri Sunil Kumar Mahajan are present in-person before this Court today.

The S.H.O. has brought it to our notice that Vikas and Priyanka appeared before the Superintendent of Police, Jhunjhunu on 27.07.2010. Thereafter, both of them were produced before the Court of the Magistrate Khetri in connection with F.I.R. No.81 of 2010 registered at Police Station Singhana for commission of the offence under Section 363 and 366 I.P.C.

It has been brought to our notice that on the production of Kumari Priyanka before the Magistrate, the Magistrate remanded her to the 'Nari Niketan' for two days.

Kumari Priyanka has been produced before us by the S.H.O. She has been identified by the petitioner-Shri Sunil Kumar Mahajan. Shri Sunil Kumar Mahajan has admitted that the age of Kumari Priyanka is more than 20-years, as such she is major.

Kumari Priyanka has stated before us that she has entered into matrimony in the Arya Samaj Mandir at Jaipur with Vikas and that she intends to live with her husband Vikas. She has stated that there is no pressure on her in any manner and she has expressed her desire to live with Vikas voluntarily.

The Court allowed Shri Sunil Kumar Mahajan, the petitioner and his family members, including the mother of Priyanka wife of Shri Sunil Kumar Mahajan—Smt. Manju Devi to meet Kumari Priyanka. Even after meeting her parents, she has expressed her desire to stay with Vikas and not with her parents.

Taking into account the aforesaid facts and circumstances as also the fact that Kumari Priyanka with regard to whose production the present petition has been filed is admittedly a major, we have no option, but to dismiss this petition. Kumari Priyanka being major being 20-years of age and married to Vikas is free to live with Vikas.

The habeas corpus petition is accordingly disposed of.

(S.S. Kothari) J.

(Dalip Singh) J.