

W.P.No. 10171 / 2012
(Mohanlal Pandey ..Vs. ..State of M.P. & others.)

31-10-2012

Shri K.K.Agnihotri, learned counsel for the petitioner.

Shri B.P.Pandey, learned Dy. G.A. for the State/respondents.

Heard on the question of admission.

The petitioner has filed this petition for relief of a direction/writ in the nature of habeas corpus for production of his daughter Ku. Sarinee Pandey who is missing since 12-3-2012.

The respondents, after notice, have filed a return in the present petition wherein it has been stated that a missing persons Case No. 4/2012 has been registered at P.S.Sagra, on 1-4-2012 and thereafter Crime No. 19/12 under Sections 363 and 366 of the I.P.C. has also been registered by the police on 6-4-2012 against the respondent No. 4 and the matter is under investigation. It is stated that in spite of the rigorous efforts the daughter of the petitioner could not be traced out till date, however, it is stated that the police authorities shall continue to make all efforts to trace out the missing daughter of the petitioner and ensure that the investigation reaches a proper conclusion.

In view of the aforesaid statements of the

State/respondents as the present case is not a case of illegal detention but is a case of a missing person, therefore, in view of the decision rendered by a Division Bench of this Court in the case of **Sulochana Bai ..Vs. .. State of M.P. & others**, 2008(1) MPLJ 339 this petition for a writ of habeas corpus is not maintainable.

However, the petition filed by the petitioner is disposed of with an observation that the police authorities shall continue to make all efforts and take steps in accordance with law to ensure that the investigation reaches a logical conclusion. The petitioner undertakes to render full assistance to the police authorities in tracing out his missing daughter.

With the aforesaid observations, the petition filed by the petitioner stands disposed of accordingly.

C.C. as per rules.

(R.S.Jha)
Judge