

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR
BEFORE
HON'BLE SMT. JUSTICE NANDITA DUBEY
ON THE 9th OF MARCH, 2022

WRIT PETITION No. 5101 of 2022

Between:-

MS. SIDDHI GUPTA

.....PETITIONER

(By Shri Anuj Agarwal, Advocate)

AND

1. THE STATE OF MADHYA PRADESH THROUGH ITS PRINCIPAL SECRETARY DEPARTMENT OF HOME VALLABH BHAWAN BHOPAL M.P.
2. SUPERINTENDENT OF POLICE, BHOPAL DISTRICT- BHOPAL, M.P.
3. STATION HOUSE OFFICER, POLICE STATION AYODHYA NAGAR, BHOPAL M.P.
4. SWATANTRA BABU GUPTA

.....RESPONDENTS

*(By Shri Subodh Kathar, Government Advocate)
(Shri Himanshu Shrivastava, counsel for the intervener)
(Shri Rajesh Sen, counsel for the Caveator)*

ORDER

The petitioner has been produced through Video Conferencing from Lucknow, through the office of Mr. Nitesh Kumar Singh, Advocate. The parents of the petitioner are also present in the Court and they have also seen and heard their daughter through virtual mode.

The petitioner in very clear terms has stated that she wanted to study further, however, her parents were not ready to let her study, rather they wanted her to get married. Under this force and threat, she has run away with the help of one Durgvijay Singh @ Sandeep Singh, who allegedly is the driver of the parents of petitioner. The parents have stated that the girl has sent the photographs wearing 'Sindoor' to the

police authorities showing that she is now married. Petitioner when confronted with this has stated that she sent that photographs only for the purpose that the parents may not come after her or threatened her. She has stated that she is not married and living alone and earning her living by giving tuition to the children. She submits that after completing her studies and apply for IAS and only after she achieves her target, she will go to meet her parents but at this point of time she has no intention to give her address to her parents or to meet them.

It is the statement of the parents before this Court that the girl has been kidnapped by their driver and they have CCTV footage to that effect. It is further stated that the driver is already married but somehow he has lured their daughter to go with him. After hearing their daughter, it is stated that the girl is making statement under the influence of the said driver. It is further stated that they have also filed an FIR in this regard.

In case, if an FIR has already been registered and CCTV footage has been submitted before the Police Authorities, the authorities may investigate the matter, and if they found that the person Durgvijay Singh @ Sandeep Singh, is already married and has kidnapped the petitioner then action may be taken against such person. However, it is made clear that the petitioner shall not be harassed at any stage.

The petitioner is major nearly 20 years of age and has a right to live her life as per her own will and on such terms and conditions as she desires. She does not want to go back to her parents. She being an adult cannot be forced to return to her parents.

Under the circumstances, the request of the parents of petitioner to summon her under police custody and give them her custody to them cannot be acceded to.

With the aforesaid direction, this petition stands **disposed** of.

Certified copy as per rules.

(NANDITA DUBEY)
JUDGE