

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 5086 of
2025**

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MAGANBHAI MADHABHAI PATELIYA

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR ATIT D THAKORE(5290) for the Applicant(s) No. 1

MR. ANIL P JAGANI(6729) for the Applicant(s) No. 1

MS. MONALI BHATT, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE

and

HONOURABLE MR. JUSTICE SAMIR J. DAVE

Date : 09/04/2025

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

1. The petitioner before the Court is father of the corpus; 'Jalpa'; aged 19 years. According to the petitioner, the corpus has disappeared and respondent No.5 is responsible for her disappearance.

2. In response to Missing Person's Complaint given by the petitioner at Nikol Police Station, the petitioner was called at the Police Station and was given the Marriage Certificate wherein age of respondent No.5 is shown to be 37 years, whereas age of the corpus is shown to be 20 years.

3. According to the petitioner, date on which such marriage is reportedly solemnized as per the Certificate, all the family members of respondent No.5 including the corpus herself were very much at Village-Ahmedabad, whereas Certificate of Marriage issued is that of Village-Gopalgadh, Bharatpur, Rajasthan and therefore, it is according to the petitioner, bogus Certificate.

4. In view of the aforesaid, issue **NOTICE returnable on 28-04-2025**. Learned Additional Public Prosecutor waives service of Notice on behalf of the respondent-state.

5. Direct service is permitted. Respondent Nos.4 and 5 to be served through respondent No.2. On or before the returnable date, respondent No.2 shall keep the corpus present before the Court.

(A.Y. KOGJE, J)

(SAMIR J. DAVE,J)

PARESH SOMPURA

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: PARESHKUMAR SOMPURA(HC00451), Principal Pvt Secretary, at High Court of Gujarat on 09/04/2025 18:03:35