

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 17396 of
2025**

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ALUSHBHAI KHUMANBHAI MALIVAD

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR BK OZA(516) for the Applicant(s) No. 1

NOTICE NOT RECD BACK for the Respondent(s) No. 2,3

MR CHINTAN DAVE, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA
and
HONOURABLE MR.JUSTICE D. M. VYAS

Date : 09/01/2026

ORAL ORDER
(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)

Alushbhai Khumanbhai Malivad has presented this petition contending that his daughter Pritikaben has been missing and suspected to have been abducted.

A notice was ordered making returnable on 12/01/2026.

The State has secured the custody of the corpus Pritikaben and presented her before us.

Mention was made that since the corpus has been secured, the matter may be preponed. Accordingly, the matter has been preponed to today.

The corpus who is present before us states that she will turn eighteen in two days and she wishes to go back to her parents and stay with them.

In view of the request of the corpus, we deem it proper to hand over the custody of the corpus to her parents.

The parents of the corpus to file an undertaking that they would not cause any harm either physical or mental to the corpus and they also undertake that they would not force the corpus to marry to any person against her choice or will.

The parents of the corpus to file said undertaking in the form of the affidavit within a period of two weeks from today.

In view of the desire expressed by the corpus to go with her parents, the present writ petition stands disposed of permitting the parents of the corpus to be in the custody of the corpus.

(N.S.SANJAY GOWDA,J)

(D. M. VYAS, J)

ILA