

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 17477 of
2025**

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RAKESHBHAI AAPSINGBHAI SANGADA
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR. MAULIK M SONI(7249) for the Applicant(s) No. 1

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

NOTICE SERVED for the Respondent(s) No. 2

MS. MONALI H. BHATT, ADDL. PUBLIC PROSECUTOR 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 : 08/01/2026

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

1. Rakeshbhai Aapsinghbhai Sangada has filed this petition contending that his daughter, Asmitaben, who is aged about 14 years, has once again absconded and it is his apprehension that her life could be in serious danger. It is pertinent to state here that on an earlier occasion also, Asmita, the corpus had gone missing and Rakeshbhai had preferred SCR.A No. 15955/2025 and this Court

disposed of this petition after the State secured the presence of Asmita and presented her before the Court and Asmita stated before the Court that she wish to go with her parents.

2. In this case also, the State has once again secured the presence of Asmita and she once again reiterates that she wishes to go and stay with her parents and that she had left her parents company because of some difference of opinion.
3. We have interacted with the girl Asmita and it is our view that she is very young and is incapable of taking any decision on her own.
4. However, since she states that she wishes to be in custody of her parents voluntarily, we permit the parents to take custody of Asmita and take care of her.
5. The earlier undertaking given by the parents that

Asmita would not be harmed, physically or mentally, shall be reiterated in the form of another affidavit to be filed within a period of two weeks from today.

6. The earlier direction to the concerned Police Officer, through concerned police station, through a female officer, to make periodical visits to the house of the petitioner to ensure that Asmita is comfortable and is not put to any kind of harassment shall also continue.

7. The present petition stands DISPOSED OF accordingly.

(N.S.SANJAY GOWDA,J)

(D. M. VYAS, J)

YASH ARORA